

Order Sheet
IN THE HIGH COURT OF SINDH,
BENCH AT SUKKUR

Const. Petition No.D-11 of 1991

Date of hearing	Order with signature of Judge.
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For Directions

For hearing of CMA 5141/2020

09-10-2024

Mr. Sanwan Khan Jagirani, Advocate for applicant/respondent No.1.
Mr. Ahmed Ali Shahani, Assistant A.G a/w Zahid Ali Shah, Mukhtiarkar
(Revenue), Rohri (alleged contemnor No.3)

Counsel for applicant/respondent No.1 states that the applicant's title in the subject land has been proven till the Apex Court, however the alleged contemnor/Assistant Commissioner, Rohri has issued the impugned Notice dated 25.06.2020 to applicant Zahoor Shah (attorney of Syed Rifaqat Hussain Shah) to vacate the subject property. Such notice of the Assistant Commissioner has no documents attached to, and the Assistant Commissioner has ordered to remove the structure within three days, per learned counsel. Today, alleged contemnor No.3 has appeared and files a statement/objections to allege that the applicant is an encroacher. This revelation has seemingly come after four judgments having been passed in favour of the applicant, which does not appeal to a prudent mind. Even the Mukhtiarkar has not brought original record. While we suspend the operation of impugned Notice, let proper comments be filed by the alleged contemnors as well Mukhtiarkar, Rohri to bring original record starting with mother entry before this Court as well as Assistant

Commissioner, Rohri be present in the Court on the next date of hearing along with relevant record.

Adjourned to **07.11.2024**. In the meanwhile, operation of impugned Notice dated 25.06.2020, issued by the Assistant Commissioner, Rohri to remain suspended till the next date of hearing. Office to provide a copy of this order to the office of AAG for compliance.

JUDGE

JUDGE

Ahmad