

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA.

Constt: Pett: No. D- 573 of 2014.

Date Order with signature of judge.

For Katcha Peshi.

06.08.2014.

Mr. Imdad Ali Mashori, advocate for the petitioners.

Mr. Abdul Hamid Bhurgri, A.A.G a/w Mr. Syed Fida Hussain Shah a/w SIP Wazeer Hussain, ASHO P.S Qubo Saeed Khan, PI Ghulam Serwer on behalf of SSP Kamber Shahdadkot and XEN Saifullah Magsi Canal Circle, Larkana.

=====

Learned counsel for the petitioner at the very outset submits that only protection that he has requested for is that the sanctioned Water Course of the petitioner i.e. 24 BL Patuja Distry be maintained and cleared under the supervision of Irrigation Department i.e. respondent No.2.

Though XEN Ghulam Mustafa Dhamrah is present in person and maintained that subject Water Course is sanctioned in favour of the petitioner however they are unable to perform their duties on account of highhandedness of the private respondents. In this regard he has placed copy of letter issued to the SHO P.S Qubo Saeed Khan however, no assistance was provided to the officials in maintaining and clearing the Water Course as above.

This petition is therefore, disposed of with direction to the official respondents specially XEN to perform their duties and clear the Water Course as prayed and in case any assistance is required through police, the concerned SHO shall provide assistance to the XEN in performance of such duty, in case of failure to provide assistance by the concerned SHO, appropriate action shall be taken which include contempt of court proceedings against the delinquent police officer. In case the concerned officials of Irrigation Department and SHO find that the private respondents or

any other person is causing hindrance in performance of duty, FIR
may be lodged against them.

19

