

**ORDER SHEET**  
**THE HIGH COURT OF SINDH CIRCUIT COURT AT LARKANA**  
**C.P.No.D-28 of 2016**

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Date	Order with signature of Judge
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1. For orders on office objection "A".
2. For orders on M.A.No.2941/2016 (1 R 10).
3. For orders on maintainability of main case.

**22.01.2020**

Mr. Sarfaraz Khan Jatoi, Advocate for the Petitioner.

Mr. Ghulam Dastagir A. Shahani, Advocate for the Intervenor.

Mr. Liaquat Ali Shar, Additional Advocate General, Sindh.

The petitioner, through instant petition, claiming himself to be the owner of agricultural land bearing Survey No.690, admeasuring 4 acres and Survey No.691 admeasuring 4 acres, total admeasuring 8 acres, situated in Deh Ratodero District Larkana on the basis of entry in revenue record, has filed this petition, seeking directions to the respondents to provide proper protection to his life, liberty and property and to provide him all the legal documents of the revenue record of his agricultural land with further directions to the respondents to carry out the demarcation process of his land in accordance with law.

Comments have been filed on behalf of respondent No.3, Mukhtiarkar, Ratodero, wherein it has been categorically stated that the land in question is pure Nakabooli Government Land and the only power to dispose of such government land lies with the Mukhtiarkar Estate, but the petitioner's predecessor got the revenue record managed in collusion with the lower staff of the revenue department and inserted the fake entries in respect of the subject land firstly in favour of one Abdul Ghafoor Jalbani (the uncle of the petitioner's father) in the year 1968 by re-writing and inserting fake entry showing purchase of land from hindu owner namely Cheto Mal and secondly the same land has been shown as gift by

said Abdul Ghafoor Jalbani (the father of the present petitioner) vide entry No.38 in the year 1970, which too is fake and managed entry in Dakhil Kharij Register and since the land in question is pure Naqabooli Government Land, its entire record is lying in the office of Mukhtiarkar Estate Larkana, but the petitioner has not made him party to these proceedings deliberately and intentionally. It has been further stated that the fact, that the land in question is Government Nakabooli Land, is very much evident from the order dated 19.06.2015, passed by the Additional Commissioner (Revenue) Larkana Division in Case No.LRK/146/2014 (re-State v/s. Bux Ali and others), wherein it has been mentioned that Survey Nos.690 and 691, (the subject survey numbers), so also other survey numbers are Government Nakabooli Land and have not yet been disposed of to any person. Alongwith the comments, the copy of the said order is also attached.

The very title of the petitioner has been disputed by the revenue authorities as fake and managed. This Court in its constitutional jurisdiction under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 cannot adjudicate the dispute regarding the title of the petitioner as it requires recording of pro and contra evidence of the parties, which is outside the domain of this Court.

Accordingly, this petition is dismissed. The petitioner however is left at liberty to approach the concerned forum for the redressal of his grievance, if so advised.

Manzoor