

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Const. Petition No.D-1633 of 2019

Date	Order with signature of Judge
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1. For orders on office objection at flag `A`
2. For hearing of main case

16-11-2023

Mr. Muhammad Nasir Malik, Advocate for the Petitioner
Mr. Muhammad Rehan Khan Durrani, Advocate for Respondents
No.5(a) to 5(f)
Mr. Ubedullah Malano, Advocate for Respondents No.6 & 7
Mr. Ashfaque Ahmed Assistant Attorney General
Mr. Ali Raza Baloch, Assistant Advocate General
Abdul Hafeez XEN T/L SEPCO

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Muhammad Iqbal Kalhoro,J:- Petitioner claims to be owner of agricultural land bearing S.No.451, admeasuring 1-20 ½ acres, situated in Deh Trimoonh, Tapo Darawahan, Taluka Rohri, District Sukkur. His case is that in pursuance of Mititari-Lahore HVDC Transmission Line, a part of China-Pakistan Economic Corridor (CPEC) project, high voltage transmission lines and towers had been installed over his land without any proper notice and giving him any compensation, or obtaining any consent from him. Although the adjacent Khatedars/owners of the lands used likewise had been compensated.

Respondent No.5 has filed comments stating in para No.2 that petitioner had purchased the said land from one Tariq Khan Golo through a sale deed dated 26.12.2018 and his name was entered into record of rights dated 10.10.2019, vide entry No.453. Whereas the work of installation of transmission lines had already been completed in the mid of 2018 before the land was purchased by the petitioner. It is further disclosed that the compensation amount of Rs.15,52,260/- was disbursed amongst the relevant khatedars/owners of the lands.

Be that as it may, we have seen that in para No.3 of the comments it has been admitted by respondent No.5 that a Survey Team was appointed after application from the petitioner was received and the Team had found that high voltage transmission lines are passing over Survey No.451 where lands of the petitioner as well as other Khatedars are situated.

The names of all the Khatedars to whom the amount was disbursed by the respondent No.5 is mentioned in the same para serial-wise. But the name of Tariq Khan Golo from whom the petitioner had purchased the land is not mentioned, which means that the compensation was not awarded to the previous owner of the land even. In any case the petition is disposed of with consent in the terms whereby petitioner would file an application before Respondent No.5(a) for compensation purpose and it shall be decided in accordance with law on the basis of available record keeping in view the facts that even previous owner was not awarded the compensation for using his land for the purpose of installing high voltage transmission lines. The application will be decided within a period of three months and the order passed on the application would be conveyed to the petitioner duly, in accordance with law.

Accordingly this petition is disposed in the above terms.

JUDGE

JUDGE

