

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Const. Petition No.D-1687 of 2023

Date	Order with signature of Judge
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1. For orders on office objection at flag `A`
2. For hearing o CMA No.7248/2023
3. For hearing of main case

27-03-2024

Mr. Muhammad Uzair Shaikh, Advocate for the Petitioner
Mr. Ubeudllah Malano, Advocate for Respondents No.10 to 13
Mr. Liaqat Ali Shar, Additional Prosecutor General a/w Arbab Ali Solangi, Director Fisheries Sukkur, Inspector Muhammad Aslam SSP office Sukkur, ASI Mir Hassan of PS Khadheri

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ORDER

Muhammad Iqbal Kalhoro,J:- Petitioners claim to be licencee entitled to fishing in River Indus upstream granted by Fisheries department Sindh. They have filed this petition claiming that Fisheries department is not permitting them to fish in the designated area in the River Indus. In petition, however they have made private persons as respondents No.10 to 13 who in response to notice have appeared and claimed that petitioners are fishing in the lake situated in the katcha area in the lands allotted to them by the revenue department for ten years and not in the River Indus. Their claim was got verified from Mukhtiarkar (Revenue) Rohri through SHO Police Station Khadheri. He has submitted the report verifying the fact of existence of lake in the lands situated in katcha area allotted to the private respondents on the basis of harap condition.

Learned counsel appearing for respondents submits that petitioners have a right to fishing in the Indus River granted to them by the Fisheries department and not in the subject land. This factual position has not been disputed by petitioners' counsel.

We therefore dispose of the petition on undertaking of private respondents that as long as petitioners fish in the River Indus upstream they would not intervene their activity of fishing. But they shall remain away from the designated lake, which petitioners' counsel has accepted.

JUDGE

JUDGE

