

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,**  
**HYDERABAD**

C.P.No.D- 2219 of 2019

| <b>DATE</b> | <b>ORDER WITH SIGNATURE OF JUDGE</b> |
|-------------|--------------------------------------|
|-------------|--------------------------------------|

1. For orders on MA 9343/2019.
2. For orders on office objection.
3. For orders on MA 9344/2019.
4. For orders on MA 9345/2019.
5. For hearing of main case.

24.09.2019.

Mr. Nayyar Ziauddin, Advocate for petitioner.

=

Petitioner claims to be owner of agricultural land bearing Survey No.181 Seven acres and four ghuntas situated in Deh Buth Taluka Thano Bulla Khan District Jamshoro by way of purchase from Mst. Aisha Siddique, the entry in whose favour has been cancelled on the ground of being fake through impugned order by Assistant Commissioner Thano Bula Khan holding that the said land belongs to the government. Learned counsel for the petitioner has not been able to satisfy as to why he has not availed the proper remedy under Land Revenue Act, etc. and challenged the impugned order before relevant forum. His only argument is that the order was passed on 16.05.2018 and he came to know about it in August 2019, and realizing that the limitation for filing the appeal has expired, he deemed it appropriate to file the constitution petition.

Hardly on this ground the petition can be maintained and the jurisdiction of this court under constitution invoked as a substitute of appeal which otherwise is provided in law. This being the position, this petition is not maintainable and is dismissed accordingly alongwith all pending applications, leaving the petitioner however to avail remedy in accordance with law.

JUDGE

JUDGE

Tufail/PA