

ORDER SHEET  
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR  
Const. Petition No.D-839 of 2021  
Const. Petition No.D-3081 of 2015

Date	Order with signature of Judge
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1. For orders on office objection at flag `A`
2. For orders on CMA No.3840/2021
3. For hearing of main case

17-01-2024

Mr. Nusrat Hussain Memon, Advocate for the Petitioners  
Mr. Kaleemullah Shar, Advocate for Respondents No.5 & 6  
Mr. Ahmed Ali Shahani, Assistant Advocate General a/w  
Muhammad Bachal Kanhar, AXEN Irrigation Khairpur  
Sub-Division, Javed Ali Laghari, Canal Assistant Faiz Gunj  
Sub-Division, Inspector Ali Asghar DSP Mirwah and  
SIP Jameel Ahmed on behalf of SSP Khaipur

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**Muhammad Iqbal Kalhoro,J:-** Respondents No. 7, 8 and 9 and respondent No.10 have filed their comments which are taken on record. Assistant Executive Engineer Irrigation Khairpur Sub-Division is present submits that currently the entire machinery is busy in holding election. As soon as election is over, they would initiate a drive to remove encroachment from the inspection path of Faiz Gunj wah in coordination with Deputy Commissioner and SSP Khairpur. Police officials are present submit that as and when the drive is initiated they would cooperate with the irrigation officials to maintain law and order situation on the site.

We are of the view that this undertaking is sufficient to allay grievance of the petitioner in regard to removal of encroachment from inspection path of Faiz Gunj Wah. Therefore, we dispose of the petition with directions to respondents to initiate encroachment drive immediately after the election and submit a compliance report. Failure to comply with the order would expose the delinquent officials to competent proceedings. A copy of this order be communicated to AAG office for perusal and compliance.

Office is directed to place a signed copy of this order in the captioned connected matter.

JUDGE

JUDGE