

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

C.P.No.D-571 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE
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| 1. For orders on M.A 4287/19
2. For orders on office objection
3. For hearing of main case | |
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25.04.2019

Syed Shafique Ahmed Shah, Advocate for petitioner.

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1. Granted.

2&3. Petitioner claims to be owner of agricultural land bearing Survey No.734/2 to 4, 731/4, 733/2,3, 743/3,4, 742/4 total 12 acres. And further states that private respondents with mala fide intention and ulterior motives have managed a fake and fabricated sale agreement dated 13.05.2013 allegedly executed by him and have filed a Civil Suit No. 53/2018 before 3rd Senior Civil Judge, Shaheed Benazirabad against him. By means of this petition he is seeking direction to respondents No.5 and 6, who are Assistant Commissioner Taluka Daur and Mukhtiarkar Revenue Daur, to produce record of his aforesaid claimed agricultural land and further direction to respondents No.7 and 8, who are Deputy Director Anti-Corruption Establishment, Shaheed Benazirabad and Circle Officer Anti-Corruption Establishment, Shaheed Benazirabad, to conduct an inquiry into the matter.

Learned Counsel for the petitioner has not been able to satisfy us on maintainability of this petition and to show that before approaching this court he has filed any application before the aforesaid respondents for seeking record of his aforesaid claimed agricultural land. Except photostat copies of few applications addressed to relevant authorities of Anti-Corruption Establishment and Inspector General of Police Sindh for taking action against private respondents for having occupied his aforesaid land, no other document has been produced by the petitioner. The dispute appears to be between private parties and is over occupation of land which petitioner is claiming to be his own. A civil suit has already been filed by private respondents against petitioner in this respect, which in our view is a proper forum for petitioner to agitate his right, if any, over his alleged land and alleged illegal occupation of private respondents thereon; and for seeking record of aforesaid land, he shall approach revenue hierarchy instead of filing petition before this court. This being the position, we

are of the view that this petition is not maintainable and is dismissed in limine
alongwith pending applications.

JUDGE

JUDGE

Ali Haider