

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
C.P No.D-1787 of 2023

Date

Order with signature of Judge

1. For orders on office objections
2. For hearing of main case.

22.02.2024

Mr. Riaz Ali Shaikh, Advocate for the Petitioner
Mr. Agha Athar Hussain Pathan, AAG along with Haleem Buriro,
DFO and Kashif Leghari, Range Forest Officer

Learned AAG has filed comments on behalf of Respondents No.2, 3 & 5. Mr. Ali Nawaz Kalwar, advocate files power on behalf of Respondents No.11 to 14. Same are taken on record.

Learned Counsel for the Petitioner, at the very outset, submits that identical petitions bearing C.P Nos. D-1115 of 2009 & others have been disposed of by this Court vide order dated 26.09.2023 and has passed certain directions in last paragraph of the said order, and he would be satisfied if this petition is disposed of in the same manner. The relevant part of the order is reproduced as under:-

"Today, we have heard all the parties and with their assistance have formed an opinion that instead of continuing with these petitions indefinitely, a Committee shall be constituted in every district consisting of District and Sessions Judge, Deputy Commissioner, Divisional Forest Officer, SSP and the Wing Commander Rangers, who shall determine first the encroached lands of the forest department, be it with any government department or any individual, by holding a meeting every fortnightly, scrutinize the record, identify the lands of forest department and, thereafter start operation to retrieve back the same in accordance with law and with the assistance of Rangers and Police of the district concerned. The meeting shall be headed by the District and Sessions Judge, who shall submit a quarterly report before this Court for a perusal in Chamber. Either party would be at liberty to file an application in case directions are not being complied with, for resurrection of the petitions and hearing them accordingly."

The observations as above are mutatis mutandis applicable in this petition and this petition is disposed of in the light thereof.