

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

C.P No. D-445 of 2026
[Qurban Ali v. Province of Sindh and others]

C.P No. D-468 of 2026
[Shaukat Ali v. Province of Sindh and others]

Before:
JUSTICE ADNAN IQBAL CHAUDHRY
JUSTICE RIAZAT ALI SAHAR

Petitioners: Qurban Ali Umrani (C.P. No.D-445 of 2026) through Mr. Pervaiz Tarique Tagar, Advocate.
Shoukat Ali (C.P. No.D-468 of 2026) through Mr. Aslam Pervez Sipio, Advocate.

Respondents: Province of Sindh and others through Mr. Rafique Ahmed Dahri Additional A.G. Sindh along with Moinuddin Leghari Assistant Director (Legal) and Inspector Agha Hussain, Anti-Corruption Establishment, Hyderabad.
Respondent Mazhar Ali Sahito through Mr. Muhammad Rahim Gajo, Advocate who holds brief for Mr. Zulfiquar Ali Sahito, Advocate.

Date of Hearing: 29.04.2026
Date of Order: 29.04.2026

ORDER

RIAZAT ALI SAHAR, J: - Through this common judgment, the above titled interconnected constitutional petitions are being disposed of as both arise out of the same inquiry proceedings and involve identical questions of law and facts.

2. The background of the case is that the petitioners, both retired employees of Pakistan Railways aged about 79 and 80 years respectively, have invoked the constitutional jurisdiction of this Court challenging the inquiry proceedings initiated by Anti-Corruption Establishment, Hyderabad on Complaint No.GO-63/2025. Petitioner Qurban Ali served as Chairman and later Secretary of Hyderabad Railway Employees Cooperative Housing Society (HRECHS), whereas petitioner Shoukat Ali also remained

Secretary of the said society. The controversy revolves around allotment of Plot No.4, Block C-10, Deh Giddu, Latifabad, in favour of respondent Mazhar Ali Sahito. Upon verification of service particulars, it transpired that respondent No.8 was not a regular railway employee but had served on deputation, rendering him allegedly ineligible for membership under the society's byelaws. Consequently, the then management cancelled the allotment vide order dated 20.01.2020 in light of earlier directions of this Court. Respondent No.8 challenged the cancellation through civil proceedings and also lodged a complaint before Anti-Corruption authorities, leading to initiation of inquiry against the petitioners. The petitioners stated that they acted strictly in accordance with law and bylaws and that the complaint is *mala fide*, intended to harass them despite the matter being sub judice before a competent civil forum.

3. The learned Inquiry Officer, present in Court, states that the inquiry was lawfully initiated on the complaint of respondent No.8 and conducted strictly in accordance with the relevant rules. He further submits that the inquiry has already been completed and a report has been forwarded to the competent authority for consideration by the Anti-Corruption Committee-I and now case has been challaned. He further submits that the allegations of harassment and *mala fide* were categorically denied. The comments filed by Inquiry Officer are taken on record.

4. Learned counsel for the petitioners, while reiterating the contents of their respective petitions, contend that the impugned inquiry is without lawful authority and is being used as a tool of harassment. They contend that the cancellation of the plot was carried out strictly in compliance with the bylaws of the society and pursuant to directions of this Court, after due verification of ineligibility of respondent Mazhar Ali Sahito. They contend that the dispute is purely civil in nature, already agitated before a competent civil court and therefore parallel criminal proceedings amount to abuse of process. They also contend that the petitioners, being elderly retired persons, have been subjected to undue coercion and threats of arrest without any justification and thus are entitled to protection from this Court.

5. Learned Additional Advocate General Sindh, supported by learned counsel for respondent Mazhar Ali Sahito, opposes the petitions and contend that the inquiry was initiated on a lawful complaint disclosing serious irregularities and possible misuse of authority by the petitioners. He, therefore, contends that the petitions be dismissed being premature and misconceived.

6. Since the inquiry has already been concluded and the case has been challaned, as stated by the respondent/Inquiry Officer, Agha Hussain, Inspector, Anti-Corruption Establishment, Hyderabad, therefore, the proper course available to the petitioners is to approach the trial Court for appropriate remedy including their premature acquittal in accordance with law. Consequently, the present petition, having become infructuous, is **dismissed** accordingly.

JUDGE

JUDGE