

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
Const. Petition No.D-1518 of 2022

Date	Order with signature of Judge
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1. For orders on CMA No.3575/2023
2. For orders on office objection at flag `A`
3. For hearing of CMA No.6030/2022
4. For hearing of main case

12-09-2023

Mr. Sikander Ali Junejo, Advocate for the Petitioners
Mr. Ahmed Ali Shahhahi, Assistant Advocate General

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Muhammad Iqbal Kalhoro,J:- This petition has been filed impugning a letter dated 17.11.2022 issued by Senior Superintendent of Police District Khairpur to Deputy Commissioner Khairpur requesting him to survey and demarcate the land situated in Deh Kacho Noorpur, Taluka Sobhoderi, which petitioners claim to be owner of. On the very first day viz. 30.11.2022 when this petition came up for hearing, while appreciating arguments of the petitioners tentatively, this court suspended the operation of the impugned letter and adjourned the matter. However, meanwhile it is intimated that the private persons with whom the petitioners have a dispute over the land, with the help of police, dispossessed the petitioners from the very land, regarding which survey was sought by the SSP, without conducting its survey and demarcation as envisaged in the letter. Counsel for the petitioners further submits that since a new cause of action has arisen, therefore he intends to file a suit u/s 9 of the Specific Relief Act seeking possession of the land, declaration, mesne profit etc. However, since the impugned letter whereby the survey and demarcation of the land was sought has become infructuous in view of the above development, he does not press this petition.

Learned AAG accepts this proposition and agrees that the impugned letter has become infructuous. Accordingly, this petition is disposed of along with pending applications leaving the petitioners to avail remedy, if so advised, in accordance with law.

JUDGE

JUDGE

