

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA.

Cr. Misc. Appln. No.S- 109 of 2024.

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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- 1.For orders on office objection as flag A.
- 2.For hearing of main case.

21.4.2025.

Mr. Muhammad Afzal Jagirani, advocate for the respondent No.2.

Mr. Aitbar Ali Bullo, D.P.G.

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None present for the applicant. No intimation is received. On the last date of hearing, in presence of the parties the matter was adjourned. Today applicant is called absent.

I have perused the record which reflects that I.D Complaint was filed before learned Sessions Judge, Larkana, same was transferred to learned 1st Additional Sessions Judge, Larkana. After hearing the parties, learned trial Court dismissed the I.D Complaint by observing in Para No.7 which reads as under:

“it seems that both the accused Asghar Ali and Himat Ali, as per report submitted by the Mukhtiarkar, Taluka Dokri, have been in possession of an area measuring 04-00 acres out of Survey No.430 for 30 years, which is contrary to applicant’s claim that she was dispossessed on 07.12.2023. According to the Mukhtiarkar, entry No.586in favour of the applicant and entry No.592/A in favour of accused Asghar Ali appear to be suspicious and, therefore, the Complaint appears to be sans of merit, in that, the offence under the Illegal Dispossession Act, 2005 does not appear to have been made out and, therefore, the same is dismissed. The parties, needless to say, shall be at liberty to question the revenue entries, favouring both the parties, in the appropriate proceedings in accord with law.”

Perusal of record reflects that according to Mukhtiarkar Taluka Dokri, the entry No.586 in favour of the applicant and entry No.592/A in favour

of accused Asghar Ali appears to be suspicious. Since learned trial Court, after considering the material brought on record dismissed the application under Section 3, 5 and 7 of the Illegal Dispossession Act, 2005. No irregularity or illegality has been pointed out in the instant application. Resultantly, instant application is dismissed.

JUDGE

Shabir/P.S