

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD
C.P. No.D-1787 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on office objection.
For orders on MA No.1072/2022.
For hearing of main case.

08.05.2025

Mr. Gulab Khan Qaimkhani advocate for petitioner.

This petition is filed against the Chief Secretary, Government of Sindh, on the grounds of alleged apathy, incompetence, partiality, misconduct, and failure to perform his duties as a public servant in accordance with the law.

The background of the case is that the petitioner initially had a grievance against the Mukhtiarkar of Jhudo, District Mirpurkhas. On 14.03.2019, when the Surveyor, Molchand, visited the petitioner's house for a land measurement, he was accompanied by his helper and one Tasleem. During the visit, the mother of Tasleem allegedly entered the petitioner's house through a window, followed by her two sons, Tasneem and Arif. All of this occurred in the presence of Surveyor Molchand. The petitioner subsequently requested the Mukhtiarkar Jhudo to lodge an FIR against said mother and her two sons for interference in official government functions and for criminal trespass by unlawfully entering the petitioner's house. However, since the FIR was not lodged, the petitioner subsequently filed complaints against the Mukhtiarkar, the Assistant Commissioner and the Commissioner of Mirpurkhas. Eventually, the petitioner complained before the Chief Secretary, Government of Sindh, alleging that they all failed to perform their official duties, acted with partiality and did not take the action requested by the petitioner. He finally filed instant petition against the Chief Secretary, Government of Sindh with the same allegations.

Learned counsel for the petitioner, in response to a query from this Court regarding the maintainability of the petition and whether the petitioner has exhausted the remedy against his original grievance before the competent forum, submits that the petition is indeed maintainable and that the petitioner's grievance can only be adequately redressed by this Court.

After hearing learned counsel for the petitioner and examining the material on record, it appears that the petitioner, instead of approaching the proper legal forum for the lodgement of an FIR against the alleged private persons, directly filed complaints against a chain of government officials, culminating in the present petition against the Chief Secretary, Government of Sindh. The petitioner has not exhausted the legal remedy available under the law for redressal of his grievance. Furthermore, the allegations levelled by the petitioner against various officers of the administrative hierarchy appear to be general, unsubstantial and lacking in specific evidence of misconduct or deliberate inaction. Courts are not the proper forum to adjudicate such administrative complaints in the absence of cogent proof and exhaustion of alternative remedies. Hence, the petition being misconceived and not maintainable is hereby **dismissed in *limine*** along with listed application.

JUDGE

JUDGE

Abdullah Channa/PS