

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
C.P. No.D-927 of 2025.

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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1. For orders on M.A.No.4955/2025.
2. For orders on office objections as Flag 'A'.
3. For orders on M.A.No.4956/2025.
4. For hearing of main case.

09.09.2025.

Mr. Javed Ahmed Soomro, advocate a/w petitioner.

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Through this petition, the petitioner Ahmed Ali Khosa has sought for the following relief(s) :

- a) *That this Hon'ble Court may be pleased to declare that acts of the respondents No.3 and 4 as illegal, null, void, mala fide as the petitioner is lawful owner of the 3200 sq. feet located in village Gul Muhammad Khoso, by virtue of record of rights under Goth Abad Scheme and residing in the premises since his fore-fathers;*
- b) *That this Honourable Court may further be pleased to direct the respondent No.5 to verify the record of petitioner and with the assistance of respondent No.7 demarcate the boundary between house of petitioner and BISE land to settle the matter through legal course;*
- c) *The respondents No.3 and 4 may kindly be directed not to use any coercive method to dispossess petitioner from lawful property by registration of any false case till the decision of this petition, as petitioner possess ownership right in respect of his house under the Sindh Goth Abad Scheme and his record is also available in the office of Mukhtiarkar Goth Abad Scheme, Larkana;*
- d)
- e)

Perusal of averments of the petition reveals that the petitioner claims his property which *prima facie* belongs to Board of Intermediate & Secondary Education Larkana. The petitioner himself has annexed the notice addressed to him and one another issued by Secretary, Board of Intermediate and Secondary Education Larkano (Page-19) of the file, contents whereof are reproduced as below :

"I am directed to inform you through the notice to vacate the premises of the Board within (07 days), so that the remaining boundary wall of Board could be completed at once, in case of failure legal proceedings leading to lodging of FIR, will be initiated against you on Account of illegal occupation on Board Land."

Learned counsel contends that the petitioner is residing lawfully in the subject property since decades yet the respondents have issued notice to him for vacation of subject property unlawfully. Since the issue involved in the petition is in respect of immovable property which as per claim of the petitioner requires evidence for which this Court being barred by Article 212 of Constitution of Islamic Republic of Pakistan is not competent. Accordingly and in view of above, this petition being frivolous is not maintainable and it is hereby dismissed in limine along with listed applications.

A copy of this order shall be sent by fax to Chairman, BISE Larkana & Secretary, BISE Larkana (respondents No.3 & 4) respectively for their record and compliance.

Judge

Judge

M Yousuf Panhwar/**