

*ORDER SHEET*  
**HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD**

**C.P No.D-1036 of 2023.**

<b><i>DATE</i></b>	<b><i>ORDER WITH SIGNATURE OF JUDGE</i></b>
<b><u>24.02.2026.</u></b>	<p>For orders on office objections. For hearing of main case.</p> <p>Mr. Muhammad Asif Shaikh, Advocate for Petitioner.</p> <p>Mr. K.B Lutuf Ali Laghari, Advocate for Respondent No.7 &amp; 8.</p> <p>Mr. Rafique Ahmed Dahri, Assistant Advocate General, Sindh alongwith Pir Salahuddin Qureshi (XEN Hala Irrigation) and Asrar-ul-Hassnain Memon (AXEN Tando Adam).</p> <p style="text-align: center;">*****</p> <p>Through this Petition, the grievance of the Petitioner is that he is the owner of agricultural land measuring 4 acres and 1 ghunta situated at Deh Hadeki, bearing Survey Nos.301 and 305, which is irrigated through government watercourse No.11-R, however, the private respondents have damaged and destroyed the said watercourse (Nali). The Petitioner lodged F.I.R. No.34 of 2022 against the private Respondents; however, after trial the accused were acquitted, while the damaged watercourse has not been restored, therefore, the Petitioner seeks restoration of damaged water course.</p> <p>Vide order dated 03.04.2024, Additional Registrar of this Court was appointed as Commissioner to inspect the site and to see whether the petitioner is getting water from a sanctioned water course 11-R for his agricultural land bearing S.No.301 and 305 or from any other source, if it is so whether that source is in accordance with sanctioned share list and distribution map. The Commissioner was further directed to see the cultivation ratio of the petitioner's agricultural land with the assistance of the Tapedar of the Beat. On 22.04.2024 at 11:00 a.m, the Commissioner with notice to officials visited the site. The Commissioner reported that the petitioner was found connected with the current regularized peech / Adh</p>

which was already functional from 11-R and the petitioner himself disclosed that under the circumstances he is taking water from 10-R to cultivate his land which disclosure is also self-sufficient that the access of water was very much available to his lands though not from the old sanctioned water course. He further reported that the ratio of the Petitioner's crops in his agricultural land presently onion crops were found equally good as per the growth in the adjoining lands.

Earlier the Divisional Bench of this Court had also observed the frequent disputes amongst landowners over unauthorized use and manipulation of sanctioned watercourses, therefore, the Bench vide order dated 10.04.2025 in C.P No.D-554 of 2025, issued directions for establishment of **Public Grievance Redressal Cell**, which was subsequently established at Division Level vide letter No.SO(IRC)AAG(Hyd)(09)/2025 dated 19.05.2025. The relevant portion of the said letter is reproduced as under;

*"2. It is, therefore, requested to please go through the contents of Honourable Court order i.e to establish a public grievances redressal cell at each division or district level within a period of three (03) weeks, demonstrated after the mechanism introduced by the mode of revenue and to submit compliance report in case of failure, the Chief Engineer concerned will be held responsible.*

*3. This may be treated as The Most Urgent."*

In view of the above, the Petition stands **disposed of**. However, the Petitioner as well as the Respondents are at liberty to approach the concerned **Redressal Cell** for redressal of their grievance regarding proper distribution of water. It is also clarified that this order shall not affect any proceedings that may be initiated by either party in future.

Let a copy of this order be communicated to all concerned official Respondent(s) for compliance / record.

JUDGE

JUDGE