

ORDER SHEET

THE HIGH COURT OF SINDH, BENCH AT SUKKUR

C. P. No. D – 1280 of 2024

[Ghulam Safdar Korai & another v. Province of Sindh & others]

Present:

Mr. Justice Adnan Iqbal Chaudhry

Mr. Justice Muhammad Hasan (Akber)

For Petitioners : Syed Zaffar Ali Shah Bukhari, Advocate

For Respondents : Mr. Zulfiqar Ali Naich, Assistant
Advocate General Sindh

Date of hearing : 14.10.2026

Date of decision : 14.10.2026

ORDER

Adnan Iqbal Chaudhry J.- The petitioners are aggrieved of a letter dated 09.08.2024 issued by the District & Sessions Judge, Naushahro Feroze, to the Superintendent of Police, Naushahro Feroze, requiring the latter to vacate two rooms and a veranda adjacent to the Islamia Middle School, Padidan Wing of GBHSS Padidan, Taluka & District Naushahro Feroze, which were occupied by encroachers.

2. It is contended by the petitioners that they are legal heirs of one Muhammad Luqman and Mst. Sardaran whose rights to said premises had been determined by the Additional District Judge, Naushahro Feroze, vide judgment dated 23.02.2006 in Civil Appeal No.110 of 2005. Learned counsel for petitioners, therefore, submits that the letter issued by the District & Sessions Judge, Naushahro Feroze, could not have overridden a judicial order.

3. As per the comments filed by the District & Sessions Judge, Naushahro Feroze, the impugned letter dated 09.08.2024 had been issued in his capacity as Chairman of the Education Committee, Naushahro Feroze, and pursuant to a meeting held on 07.08.2024 to retrieve possession of a Government School from the family of a retired ASI who

had encroached upon the same without any right or title. Therefore, the insinuation that the impugned letter had been issued without lawful authority seems to be misconceived.

4. As regard the reliance placed upon judgment dated 23.02.2006 passed in Civil Appeal No.110 of 2005, that shows that said appeal in fact was dismissed. The petitioners rely on an observation made in the judgment that in case the Government disposes of the suit property, first preference shall be given to the appellants, who are said to be the petitioners' predecessors. Admittedly, the property is not being disposed of. In any case, the petitioners do not demonstrate any right or title to the subject premises in their occupation. That being so, we are not inclined to interfere with the impugned letter issued by the District & Sessions Judge, Naushahro Feroze. Petition is **dismissed**.

J U D G E

J U D G E

Abdul Basit