

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Constitutional Petition No. D-1855 of 2013  
[Abdul Raheem through LRs vs. Mukhtiarkar (Revenue) Sukkur  
and others]

Present;-

Mr. Justice Amjad Ali Bohio,  
Mr. Justice Ali Haider 'Ada'.

Hearing of case

For hearing of main case

Date of Hearing : 06.05.2026.  
Date of Decision : 06.05.2026.  
Date of Reasons : 14.05.2026.

Mr. Muhammad Nasir Malik, Advocate for Petitioners.

Mr. Tariq Haneef G. Mangi, Advocate for Respondent No.4.

Mr. Ghulam Abbas Kuber, Assistant Advocate General.

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ORDER

Ali Haider 'Ada', J:- Through the instant petition, the Petitioner has sought directions against Respondent No. 1/Mukhtiarkar and the Director, Survey Settlement & Land Record, Sindh, to maintain and reflect the revenue record in accordance with a registered sale deed.

2. Learned counsel for the Petitioner submitted that the Petitioner purchased the subject property through a registered sale deed from one Syed Qwat Ali Shah, and despite such purchase, the Mukhtiarkar has failed to mutate the record in favour of the Petitioner.

3. Conversely, learned counsel for Respondent No. 4 contended that the para-wise comments filed by Respondent No. 1 clearly demonstrate that the property in question never existed in the name of the alleged vendor, namely Syed Qwat Ali Shah. It was further contended that the very sale deed upon which reliance has been placed by the Petitioner is disputed and does not exist in the official record.

4. Learned Assistant Advocate General, while supporting the stance of the official respondents, submitted that the Petitioner has concealed material facts from this Court. It was argued that after having failed before the competent fora, the Petitioner has invoked the constitutional jurisdiction of this Court merely to obtain a favourable order. He further contended that the matter involves serious factual controversies which cannot be adjudicated upon in exercise of constitutional jurisdiction.

5. Heard learned counsel for the parties and perused the material available on record.

6. The controversy in the present petition revolves around the entry of a registered sale deed in the revenue record. However, the very legal status and genuineness of the said sale deed has been seriously disputed by the respondents. It is a settled principle of law that disputed questions of fact, particularly those requiring recording of evidence and deeper appreciation of material, cannot be adjudicated upon in Constitutional jurisdiction.

7. Moreover, it has come on record that the Petitioner claims to have purchased the property from a person who was not the lawful owner thereof. This material fact has not been fairly disclosed before this Court. Thus, the Petitioner has approached this Court without clean hands, which alone is sufficient to disentitle him from any relief in Constitutional jurisdiction. In this regard, reliance is placed upon the cases of *Arshad Ali versus Federation of Pakistan through Secretary Pakistan Railways, Department Islamabad (2026 MLD 387 DB-Sindh)* and *Muhammad Hassan Mustafa (Late) versus Oil and Gas Development Company Limited (OGDCL) (2025 PLS (CS) 1528 DB Islamabad)*, wherein it has been held that a litigant who conceals material facts is not entitled to any relief.

8. In view of the foregoing reasons, this petition is found to be devoid of merits and is not maintainable. No case is made out for

issuance of any directions, particularly when the petition itself appears to be frivolous in nature. It is pertinent to note that vide short order dated 06.05.2026, this petition was already dismissed; the above constitute the detailed reasons for the said order.

*JUDGE*

*JUDGE*