

**ORDER SHEET  
IN THE HIGH COURT OF SINDH  
CIRCUIT COURT MIRPURKHAS**

C.P No.S-214 of 2026

| <b>DATE</b> | <b>ORDER WITH SIGNATURE OF JUDGE (S)</b> |
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|  | 1. For orders on M.A No.3170/2026.<br>2. For orders on office objections.<br>3. For orders on M.A No.3171/2026.<br>4. For hearing of main case. |
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09.10.2026

Miss. Parveen Shah, Advocate for the petitioner.

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**RIAZAT ALI SAHAR, J:-**

1. Urgency granted.

2 to 4. Through the instant Constitutional Petition, the petitioner has approached this Court seeking protection against alleged harassment, intimidation and unlawful interference by the police officials in connection with an agricultural land dispute. The relevant averments contained in paragraphs Nos. 2 and 3 of the memo of petition are reproduced hereunder:—

- (i) That the petitioner's father is involved in a dispute concerning agricultural land, which is already sub judice before the learned 2nd Senior Civil Judge, Umerkot, wherein Tariq Ahmed, real brother of respondent No.4, has been arrayed as defendant No.4. Thus, the controversy between the parties is essentially civil in nature and is pending adjudication before a competent Court of law.
- (ii) That on 08.09.2026, while the petitioner was present on the agricultural land along with his cousins, respondent No.4 allegedly arrived there accompanied by certain masked police officials and, without disclosing any written complaint or lawful authority, threatened and intimidated the petitioner, directed him to vacate the land and warned him against entering the same in future, failing which he would be responsible for the consequences.

A perusal of the aforesaid averments reveals that the underlying controversy between the parties relates to the possession and enjoyment of agricultural land, which is already the subject matter of civil litigation pending before the competent Court. The questions concerning title, possession and other competing claims of the parties involve disputed questions of fact requiring determination on the basis of evidence. Such

controversies cannot ordinarily be adjudicated in constitutional jurisdiction under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, particularly when an appropriate remedy is already being pursued before the competent civil Court.

Mr. Harish Chander, Assistant Advocate General present in some other case waived notice and recorded no objection, if directions are given to the Police with regard to alleged harassment.

Nevertheless, the pendency of civil litigation does not confer any authority upon police officials to interfere in a private civil dispute, dispossess any party from the disputed property, or extend assistance to either side for securing an advantage over the other, except in accordance with law or pursuant to an order passed by a competent Court. The police are entrusted with the statutory duty to maintain law and order and to protect the life, liberty and property of every citizen without discrimination. They are, therefore, under a legal obligation to act fairly, impartially and strictly within the limits of their lawful authority.

Accordingly, the concerned police authorities are directed to ensure that both parties are not subjected to any unlawful harassment, intimidation or coercion at the hands of police officials. They shall also ensure that no police official interferes in the pending civil dispute or lends assistance to either party for obtaining possession of the disputed agricultural land, except under lawful authority. However, the police shall remain at liberty to take such preventive or other lawful measures as may be warranted by the circumstances, strictly in accordance with law.

It is further clarified that this order shall neither determine nor affect the respective rights, title, possession or claims of the parties concerning the disputed property. The learned civil Court shall decide the pending proceedings independently, on their own merits, without being influenced by any observation made herein. Likewise, this order shall not prejudice any criminal proceedings, investigation or inquiry already pending or which may lawfully be initiated against any person, nor shall it operate as a shield against any action permissible under the law.

With the foregoing observations and directions, the instant Constitutional Petition stands disposed of accordingly.

**JUDGE**