

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
C.P. No.S-1074 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection
2. For katcha peshi.

17.10.2016.

None present for petitioner.

Mr. Sher Muhammad Leghari, State Counsel a/w SIP Javed Akhtar o/b of DIG Hyderabad and SIP Haji Khan of P.S Noriabad.

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The instant petition has been filed, *inter-alia*, with the following prayer:-

“(a) To direct the official respondents to provide protection to the petitioner and his property against the private respondents.

(b) To direct the private respondents not to harass or threaten the petitioner and to remove the illegal occupation of private respondents from the land of petitioner by removing the illegal crush plant, so also the illegal occupation of said respondents be cleared from the pond of drinking water they may be directed to give in black and white that they won't repeat these illegal acts in the future.

(c) Any other relief which this Hon'ble Court deems fit and proper be awarded to the petitioner under the circumstances of petition”.

By order dated 19.08.2016, report was called from the Deputy Commissioner, Jamshoro, which has been subsequently filed, wherein, *inter-alia*, after conducting survey it has been stated that crush plant installed at the SITE is on a hilly land and not encroaching upon the land of petitioner. The comments on behalf of official respondents also categorically endorses the above factual aspect of the case and further mentions that no harassment has

been caused to the petitioner. The reports submitted by the Assistant Commissioner, Thano Bula Khan and Deputy Commissioner, Jamshoro are available on record but no objection has been filed to the same. Even otherwise, it is a proprietary dispute and the petitioner has efficacious and adequate remedy before different fora to seek redressal of his grievances. However, respondents are directed to act strictly in accordance with law and should not cause any harassment to the petitioner in any manner whatsoever. With these observations, the instant petition stands disposed of.

JUDGE

Shahid