

ORDER SHEET
**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD.**

C.P.No.D-1899 of 2017

DATE

ORDER WITH SIGNATURE OF JUDGE

For orders on office objection.

For katcha peshi

15-09-2017.

Mr. Ali Ahmed Palh, Advocate for Petitioner.

Mr. Allah Bachayo Soomro, learned A.A.G, alongwith Muhammad Rahim Qureshi XEN Rohri Canal Division Hyderabad.

=

Learned A.A.G files statement on behalf of respondent No.4 & 7, which is taken on record.

2. Pursuance to earlier order, learned Civil Judge has submitted report, which shows that petitioner and other tail end khatedars are not receiving their share as per share list; cultivation ratio is below than approved.

3. Further it is contended that in the season of kharif there is serious shortage. Accordingly Secretary Irrigation shall ensure that tail end khatedars of ChakarShakh and Mirakhori minor are receiving their due share in accordance with law without any disturbance. Irrigation department shall take all steps to remove all illegal modules, pipes and ensure that tail end khatedars are receiving their due share of water in all seasons, in case of failure, contempt proceedings can be initiated against them. Moreover, Chief Engineer Sukkur Barrage shall visit tail end khatedars and conduct open hearings (Katcheris) twice in every year in month of April and September, respectively.

4. Besides, petitioners and other khatedars of tail end, would be at liberty to approach learned District & Sessions Judge, Tando Allahyar for redressal of their grievance with regard to shortage of water, learned District & Sessions Judge, would be competent to direct Civil Judge for surprise visit as well he

would be competent to call the Irrigation Authorities, issue directions, and ensure that tail end khatedars are receiving their share of water without any disturbance.

Accordingly, instant petition is disposed of.

JUDGE

JUDGE

FahadMemon