

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

R.A. No.145 of 2012

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For hearing of C.M.A 1163/12
2. For hearing of main case

24.02.2020

Mr. Suresh Kumar, Advocate for applicants.

Mr. Babar Kamal advocate for respondents No.1, 3 and 4.

Mr. Allah Bachayo Soomro, A.A.G.

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This matter is pending since 2012 and yet the counsel is not in a position to assist as to whether this land could have been transferred lawfully under the Colonization Act. A land whose grant was unpaid and was for a limited period was allegedly agreed to be sold to the applicants. He (applicant) claimed to have paid all annual grants on his own and there was no such permission obtained under the Colonization Act. Per learned counsel, all that was required to be considered by the two courts below was whether a suit for specific performance could have been filed. This is the only question that is arising out of the litigation as to whether such land could have been transferred under the law. Whether there could have been an agreement of sale between the parties in respect of a land whose land grant was for a limited period and the land grant was not paid by the original allottee / lessee and no permission was obtained by officials. Counsel is not in a position till date to assist this court. Hence, I dismiss this revision application for non-prosecution along with listed application

JUDGE

