

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

C.P. No.D-2687 of 2017

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on office objections.
For orders on M.A. No.10481/2017.
For orders on M.A. No.7904/2019.
For hearing of main case.

04-08-2020

Mr. Muhammad Sachal R. Awan advocate for respondents No.9 to 15.
Mr. Allah Bachayo Soomro Additional Advocate General.

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Through this constitutional petition the petitioners have prayed for the following reliefs:-

1. *To direct the respondents No.9 to 15 not to harass the petitioners and their community by himself or through their agents etc, in any manner whatsoever and treat them like respectable citizens as guaranteed in the constitution of Islamic Republic of Pakistan.*
2. *To direct respondents No.4 and 5 to vacate the aforesaid PAD/Graveyard from respondents No.9 to 15.*
3. *To declare that same PAD/Graveyard as a right of AASHAISH purpose no any encroachment may accord in coming future.*
4. *To direct respondents No.6 to 8 that trespasser shall be treated according to law and legally action will be taken against them.*

5. *To declare that the petitioners and community (Hindu) life, liberty and freedom of religious practice as well as area of worship may protected from any nuisance guaranteed as Constitution of Pakistan.*
6. *To, restraining order may be passed against the private respondents for such inhuman, unlawful, void ab-initio act committed by private respondents and to nit at bud previous act of respondents.*
7. *Any other relief(s) which this honorable Court deems fit, just and proper in favor of the petitioners.*

None present on behalf of petitioners. No intimation is received. This petition was filed on 23.08.2017 but since then this petition is being adjourned for time to time without any substantial progress in the matter. Today none present on behalf of petitioners. No intimation is received. Since none present on behalf of petitioners, therefore, we have gone through the record ourselves with the able assistance of learned A.A.G. as well as learned counsel for respondents No.9 to 15. Through this petition the main grievance of the petitioners is that the private respondents at the behest of official respondents are harassing the petitioners and have also prayed that the respondents No.4 and 5 be directed to vacate PAD/Graveyard from respondents No.9 to 15.

We have also seen the comments and letter of Deputy Commissioner Tharparkar dated 16.08.2019 which are on record stating therein that the encroachment on the subject graveyard has already been removed. Since the grievance of the petitioners appears to be achieved, therefore, no other point involved in this petition. Resultantly this petition stands disposed of alongwith listed

applications, however, official respondents are directed to provide legal protection to the petitioners under the law.

JUDGE

JUDGE

Irfan Ali