

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

C.P. No.D-732 of 2014

DATE	ORDER WITH SIGNATURE OF JUDGE
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Before:
Mr. Justice Arshad Hussain Khan
Mr. Justice Irshad Ali Shah

1. For orders on MA-894/2021.
2. For hearing of main case.

09.02.2021.

Mr. Khalil Ahmed Unar, advocate for petitioner.
Mr. Karamullah Memon, advocate for private respondents.
Mr. Allah Bachayo Soomro, Additional A.G.

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Urgency granted.

It is stated by learned counsel for the petitioner that certain land grabbers have encroached upon the graveyard and now are threatening the petitioner of dire consequences. By stating so, he sought for removal of encroachment over graveyard, protection for petitioner, his family members and their property.

It is stated by learned A.A.G and learned counsel for the private respondents that as per report furnished by Deputy Commissioner Sanghar no encroachment is made over the graveyard. By stating so, they sought for dismissal of the instant petition.

We have considered the above arguments and perused the record.

The protection to his property, the petitioner could adequately seek by approaching the Civil Court having jurisdiction. The encroachment over the graveyard is denied by Deputy Commissioner Sangar in his report. If, for the sake of arguments, it is believed that it is there then such controversy being factual in nature could not be resolved by this Court in exercise of its Constitutional jurisdiction. Consequently; the instant petition being misconceived is dismissed.

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