

Order Sheet
**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD**

R.A No. S- 267 of 2016

Date of hearing 06.12.2021
& order:

Mr. Muhammad Hashim Bajeer, advocate for petitioners

ORDER

ADNAN-UL-KARIM MEMON, J: - This revision was disposed of on 07.12.2018. An excerpt of the order is reproduced as under:-

“1&2. Deputy Commissioner Umerkot/Respondent No.14 herein, has filed ‘parawise comments’ alongwith a statement dated 14.11.2018. Per statement a civil dispute is going on between the applicants and private Respondents over the ‘cultivation of Government land’ [desert Barani land] during the rainy season, which ‘cultivation’ of the Government land in any event, per ‘comments’ of the Deputy Commissioner, Umerkot is against the norms/rules and is a cause of dispute between the applicants and private Respondents.

Learned A.A.G in view of the above submits that admittedly, the land in question belongs to Government of Sindh, and the applicants and private Respondents have never been authorized to cultivate the said land without obtaining requisite permission from Government of Sindh/competent authority for cultivation purpose of said land. The stand taken by learned A.A.G, is not controverted by the learned counsel for the applicants.

In view of the above, instant Revision Application stands ‘disposed of’ by directing the official Respondents not to permit the applicants and/or private Respondents to cultivate the Government land in question, without obtaining proper permission from the competent authority(ies)/Government of Sindh in accordance with law/rules/policy. Besides, applicants and private Respondents are restrained from cultivating the said land until and unless proper permission is obtained in accordance with law/rules and policy, if any.

Revision Application stands disposed of accordingly alongwith the pending application(s).”

2. The applicants moved an application (MA No. 696 of 2020) under Section 3 & 4 of Contempt of Court Ordinance, 2003 with the assertion that though the petitioners and private respondents were restrained by this Court from cultivating the subject land, yet private respondents have been allowed by the official respondents to cultivate the subject land.

3. We have perused the compliance report dated 25.09.2021 submitted Mukhtiarkar, which reflects that petitioners, as well as private respondents, cultivated the land in question; however, the same was got vacated in compliance with the orders passed by this Court and presently same is lying vacant and no party has tried to cultivate the same.

4. In view of the above, the listed application stands dismissed. However, the Deputy Commissioner concerned shall ensure that in case any party violates the order passed by this Court, he shall take punitive action against the concerned person(s) and/or delinquent official under law. Let a copy of this order be transmitted to Deputy Commissioner Umerkot for information and compliance.

JUDGE