

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

CrI. Revision Application No. S-89 of 2021

Hearing of Case

1. For orders on office objection
2. For hearing of Main Case

Mr. Sheeraz Fazal, Advocate for the Applicant / Complainant.
Mr. Aftab Ahmed Shar, Additional P.G for the State a/w SIP-Muhammad Suleman, SHO, P.S, Kumb.

Date of Hearing: **30-12-2021**

Date of Decision: **30-12-2021**

ORDER

Zafar Ahmed Rajput, J. – Impugned in this CrI. Revision Application is the order dated 07.07.2021, whereby learned Additional Sessions Judge-III, Khairpur dismissed the Criminal Complaint No.55 of 2020, filed by the Applicant / Complainant under Section 3 & 4 of the Illegal Dispossession Act, 2005 by observing that no case of illegal dispossession was made out against the Respondents / Accused.

2. Heard learned Counsel for the Applicant and Additional P.G for the State as well as perused the material available on record.

3. It is an admitted position that the Applicant / Complainant and private Respondents are neighboring lands holders and the Mukhtiarkar (Revenue), Kotdiji and SHO, P.S, Kumb in their respective reports filed before the trial Court did not support the version of the Complainant. Further, lands of the Applicant / Complainant and private Respondents require to be demarcated as per Revenue Law and Rules. There appears no illegality or irregularity in the impugned order requiring any interference of this Court in its revisional jurisdiction under Section 561-A Cr.P.C, hence this CrI. Revision Application is **dismissed** leaving the Applicant /

Complainant to approach the Muhtiarkar concerned for demarcation of the lands under Section 117 of the Land Revenue Act, 1967 and under Rule 67-A of the Land Revenue Rules 1968. Needless to mention here that if after demarcation, it appears that the private Respondents are in occupation of any part of the Applicant / Complainant's lands, the Revenue Officer concerned has powers under Rule 67-B (*ibid*) for their eviction.

J U D G E

Ahmad