

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.D-7422 of 2021

Date Order with Signature(s) of Judge(s)

Fresh Case:

1. For order on Misc. No.32583/2021.
2. For order on office objection No.26 & 31.
3. For order on Misc. No.32584/2021.
4. For order on Misc. No.32585/2021.
5. For hearing of main case.

22.12.2021

Mr. Shaukat Ali Shaikh, Advocate for petitioners.

1. Urgent application is granted.

- 2 to 5. Learned counsel submits that earlier entries in record of rights of the petitioners' land, located in Deh Kohistan (*Gharo unsurvey*), were cancelled by the then defunct District Officer (Revenue & Estate) Thatta vide Order, dated 28.09.2005. The said Order was impugned by the petitioners in Revenue Appeal No. S-13-01-154-Reader/2012 which was disposed of by the respondent No.3 (**Additional Commissioner-II, Hyderabad Division, Hyderabad**) vide Order, dated 15.01.2013, by advising the petitioners to approach the Assistant Commissioner and Mukhtiarcar (Revenue) Taluka Mirpur Sakro for keeping entries in respect of land involved in the appeal. Meanwhile, in the year 2007, some record of revenue was bunt due to assassination of Mohterma Benazir Bhutto; as such, the respondent No.5 (**Assistant Commissioner/Enquiry Officer, Mirpur Sakro, Thatta**) once again for his own satisfaction examined all aspects of the case as per guidelines given through Circular issued by the respondent No.2 (**Senior Member, Board of revenue, Sindh**) and fresh entries Form-VII were issued by him. He further submits that, on 01.11.2021, the respondent No.2 has issued a Notification bearing No. 08/Misc/BOR/2021/Rev-1(11)/962, whereby he has constituted a Committee,

headed by the respondent No.4 (***Deputy Commissioner, Thatta***) for reconstructions of the record of rights of Deh Gharo, Taluka Mirpur Sakro. He also submits that though the lands of the petitioners fall within the territorial jurisdiction of Deh Kohistan, the revenue staff of Mirpur Sakro has verbally informed the petitioners that their entries in record of rights is once again under enquiry; hence they have impugned the said Notification in this petition.

It is an admitted position that the impugned Notification relates to the Deh Gharo, while the land of the petitioners are located in Deh Kohistan. The petitioners have not been served with any notice or circular from the respondent No.4 and only on the basis of apprehension, due to communication of revenue staff of Mirpur Sakro, the instant petition has been maintained by them. We; therefore, dismiss this petition in limine, alongwith listed applications, leaving the petitioners at liberty to avail their remedy in accordance with law in case they receive any notice, direction, compliance letter, etc. from respondent No.4.

JUDGE

JUDGE