

**IN THE HIGH COURT OF SINDH, AT KARACHI**

**C. P. No. D-494 of 2022**

Fresh Case

1. For orders on Misc. No.2284/022 (urgent)
2. For orders on office objection No.1 and 6
3. For orders on Misc. No.2285/2022 (exemption)
4. For hearing of main case

28.1.2022

Mr. Khawaja Muhammad Azeem, Advocate for petitioner.

1. Granted.
3. Granted subject to all just exceptions.
- 2&4. By means of instant Petition under Article 199 of the Constitution, petitioner seeks following relief(s)

a. To direct all the law enforcement agencies to provide protection to the people/resident of village Haji Bhawal Jokhiyo, Deh Mal Mari 7/4 Union Council, Jangshahi, District Thatta.

b. To direct all the law enforcement agencies to resort of any lawful action to secure the fundamental rights of People/resident of Villae Haji Bhawal Jokhiyo Deh Mal Mari 7/4 Union Council, Jangshahi, District Thatta.

c. To direct the Respondent No.2 to take departmental action against the Respondent No.4 for the illegal patronage and support to so-called Sardar Jam Owais Gohram Jokhiyo and his goons as Respondents 5 to 7.

d. Any other relief or reliefs as this Honorable Court may deem fit and proper.”

2. Briefly, facts as narrated in the memo of petition are that petitioner hails from Village Haji Bhawal Jokhiyo Del Mal Mari 7/4 Union Council (the “Village”), consisting of more than 400 villagers and declared as one of the oldest Village of the Province. It is averred that one Sardar namely Jam Owais Jokhiyo and his gangsters, have made a State within the State in as much as, collecting extortion money (Bhatta), created their own torture cells, usurping farm land and properties of the villagers, etc. It is also stated that the Sardar Jam Owais Jokhiyo, involved in multiple murder and other criminal cases, is presently in detention in a case relating to murder of one Nizamuddin Jokhiyo. It is alleged that the petitioner alongwith some villagers raised his voice and made a press conference following which FIR No.179/2021 of PS Makli has been registered. The petitioner ran from pillar to post for redressal of his grievance but all in vain.

3. Learned counsel submits that Sardar Jam Owais Jokhiyo and his accomplices have made the lives of the innocent villagers miserable, demanding extortion money, illegally occupying farm lands and properties of the villagers, therefore, the petitioner after exhausting the remedies available to him has approached this Court for enforcement his fundamental rights and that of the villagers. He prays that the official respondents be directed to provide protection to the innocent villagers.

4. We have heard the learned counsel and perused the material available on record. Pertinently, the said Sardar Jam Owais Jokhiyo, who per petitioner has been arrested in connection with murder of one Nizamuddin Jokhiyo, is not arrayed as one of the Respondents. The petitioner has, prima facie, leveled vague and general allegations in support of which no document has been brought on record to establish that the petitioner or villagers of the Village have approached the relevant fora against alleged brutalities and activities being carried out/extended by the accomplices of the said Sardar. Even, the record is silent as to whether the petitioner or any of the villagers has approached the concerned Sessions Judge in terms of Section 22-A and B Cr.P.C. to set the law into motion. Similarly, during course of arguments learned counsel for the petitioner could not refer to any specific incident of alleged illegal dispossession or extortion of money from the villagers, mentioning the date and time of alleged acts, and the remedy availed by them against such atrocities.

For the foregoing, we do not find any merit in the instant Petition, which is accordingly dismissed leaving the petitioner at liberty to approach the relevant forum for redressal of his grievance, if so advised.

Chief Justice

Judge