

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

C.P. No.D-725 of 2021

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DATE	ORDER WITH SIGNATURE OF JUDGE
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**Before:**

Mr. Justice Muhammad Shafi Siddiqui.  
Mr. Justice Irshad Ali Shah.

**Date of hearing:** 26.05.2022

**Date of decision:** 03.06.2022

Mr. Muhammad Sachal R. Awan, Advocate for the petitioners.

Mr. Ayaz Ali Rajpar, Assistant Advocate General, Sindh along-with Shariar Hussain Mechanical Engineer, Lower Sindh Mechanical, Division Jamshoro.

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It is the case of the petitioners that they are residing over the plot which they have purchased through a registered sale deed; therefore, the issuance of notice by the respondents for their dispossession from subject plot with threat of demolition of their houses to be declared illegal. Contrary to this, it is submitted by the respondents that the plot in possession of the petitioners is owned by Irrigation Department, having been acquired legally and sale deed whereof, if any, in favour of the petitioners is illegal and void. The controversy with regard to the registered sale deed either being illegal or otherwise could not be resolved by this Court in exercise of its constitutional jurisdiction. The parties having rival claims may seek their respective declaration with regard to their title from the Court having jurisdiction, however until and unless the Civil Court declares the sale deed of the petitioners to be invalid, no coercive action may be taken.

The instant petition is disposed of in the above terms accordingly.

J U D G E

J U D G E

Muhammad Danish\*