

ORDER SHEET
**IN THE HIGH COURT OF SINDH
BENCH AT SUKKUR**

C.P. No.D-1206 of 2018

DATE	ORDER WITH SIGNATURE OF JUDGE
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Present:

Mr. Justice Zafar Ahmed Rajput

Mr. Justice Khadim Hussain Tunio

Mr. Liaquat Ali Shar, advocate for the petitioners.

Mr. Abdul Mujeeb Shaikh, advocate for the respondent
Nos. 5 & 6.

Mr. Shahryar Imdad Awan, Assistant Advocate General
Sindh a/w Ghulam Muhammad Memon, XEN (Irrigation)
west Division Khairpur/respondent No. 4.

Date of hearing: 02.11.2022

Date of decision: 02.11.2022

Date of reasons: 02.01.2023

ORDER

KHADIM HUSSAIN TUNIO, J- Through instant petition, the petitioners seek directions to the respondents No.1 to 4 / Irrigation authorities to pay the demand notice of Rs.309,920.00 to the SEPCO authorities so that the grievance of petitioners and other khatedars may be redressed and SEPCO authorities be directed to alter supply of electricity from Piryaloi to Rohri Sub-division while Irrigation authorities be directed to arrange irrigation water by getting installed the electric supply to the tube wells from SEPCO Sub-Division Rohri.

2. Per contents of the petition, the petitioners and other land owners of the area were irrigating their lands through three tube-wells installed in Deh Baberloi and Deh Ketti Mari and power was being supplied to the tube-wells by the SEPCO Sub-Division Piryaloi and water charges were smoothly being paid by the petitioners to the Revenue Authorities. However, some time back the basic structure of electric supply was dismantled due to negligence of SEPCO and

Irrigation Department. The petitioners approached both the authorities on which Superintending Engineer Khairpur Irrigation Circle Sukkur wrote a letter dated 06.02.2017 to the Chief Engineer Sukkur Barrage Left Bank requesting for transfer of electric meters from SEPCO Sub-division Piryaloi to SEPCO Sub-Division Rohri. Thereafter, SEPCO authorities issued a demand notice of Rs.309,920/- to the Irrigation authorities for installation of electric connections after change of sub-division, but the Irrigation department shown their inability to pay the same, hence petitioners filed the instant petition with the following prayers:-

- a) That in light of above facts and circumstances this Hon'ble Court may be pleased to take action against respondents No. 1 to 4 directing them to pay demand notice of Rs.309,920/- to the SEPCO authorities immediately, so that grievance of the petitioners and other Khatedars may be redressed and SEPCO authorities be directed to alter supply of electricity from Piryaloi to Rohri Sub Division.
- b) That Irrigation Authorities may be directed to immediately arrange irrigation water by getting installed electric supply to the tube wells from SEPCO Sub Division Rohri.
- c) That any other action deemed necessary in the circumstances be taken against respondents.

3. Heard, perused.

4. Statement was filed by the Executive Engineer, Irrigation West Division Khairpur/respondent No. 4 wherein he stated that the bill was prepared by the Executive Engineer Operation Division SEPCO Rohri to the tune of Rs.309,920/-, but was not approved by the District Accounts Officer Khairpur who raised the objection that the budget of Electricity charges had already been deducted from the Finance Department. The matter was moved before the Secretary to Irrigation Department of Government of Sindh and the pumping stations had remained operational until the monsoon season after which the respondents had taken valiant efforts to resolve the problems faced by the khatedars. It was also stated by the respondent No. 4 that the

Government of Sindh has started making payments to SEPCO through reconciliation of Energy Department and has ensured that grievances of the petitioner will be redressed.

5. For what has been discussed above, the respondent Nos. 1 to 4 were directed to ensure payment of fresh demand notice determined per revised charges to the SEPCO authorities for the transfer of electricity supply from Piryaloi to Rohri. Captioned petition was disposed of in the above terms vide short order dated 02.11.2022 and these are the reasons for the same.

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