

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Constitution Petition No. D-748 of 2024
(*Allah Bachayo Mahar vs. P.O Sindh & others*)

Constitution Petition No. D-801 of 2024
(*Pir Bux & another vs. Federation of Pakistan & others*)

Constitution Petition No. D-803 of 2024
(*Uzair & others vs. Federation of Pakistan & others*)

Constitution Petition No. D-805 of 2024
(*Hoti vs. P.O Sindh & others*)

Constitution Petition No. D-813 of 2024
(*Shoukat Ali & others vs. Secretary Food Dept & others*)

Constitution Petition No. D-816 of 2024
(*Khadim Hussain & others vs. Federation of Pakistan & others*)

Constitution Petition No. D-817 of 2024
(*Nisar Ahmed Malik vs. P.O Sindh & others*)

Constitution Petition No. D-820 of 2024
(*Abdul Razzaque Ghanghro vs. Federation of Pakistan & others*)

Constitution Petition No. D-821 of 2024
(*Abdul Majeed vs. P.O Sindh & others*)

Constitution Petition No. D-826 of 2024
(*Abdul Fatah Solangi vs. P.O Sindh & others*)

Constitution Petition No. D-844 of 2024
(*Muhammad Yaseen & others vs. Federation of Pakistan & others*)

Constitution Petition No. D-847 of 2024
(*Abdul Rasheed Kalwar vs. P.O Sindh & others*)

Constitution Petition No. D-849 of 2024
(*Muhammad Eidan vs. P.O Sindh & others*)

Constitution Petition No. D-852 of 2024
(*Shoukat Ali & others vs. Federation of Pakistan & others*)

Constitution Petition No. D-863 of 2024
(*Iqbal Shambani & others vs. Federation of Pakistan & others*)

Constitution Petition No. D-935 of 2024
(*Mumtaz Rajper & others vs. Federation of Pakistan & others*)

Before;
Adnan-ul-Karim Memon, J;
Amjad Ali Bohio, J;

Date of hearing and order: 01.08.2024.

M/s Abdul Raheem Mahar, Aijaz Ahmed Sipra, Riaz Ali Shaikh, Irshad Hussain Dharejo, Illahi Bux Jamali, Badaruddin Memon and Nusrat Hussain Memon, Advocates for the petitioners.

Mr. Ghulam Abbas Kubar, Assistant Advocate General along with Hakim Ali, District Food Controller, Khairpur.

Mr. Muhammad Aslam Jatoi, Assistant Attorney General.

ORDER

ADNAN-UL-KARIM MEMON, J: The petitioners have approached this Court under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 seeking directions to the respondent-Food Department to deliver bardana / wheat bags to them as per their entitlement under the procurement policy 2023-24. Learned Assistant Attorney General as well as Assistant Advocate General Sindh, present in Court, submit that these petitions cannot be entertained as the target for purchasing wheat from the growers for the current season i.e. 2023-24 is completed, as such they have no stock of wheat bags to deliver to the petitioners. Petitioners have raised their voice of concern alleging mal administration on the part of respondent-Food Department, Government of Sindh on the premise that they failed and neglected to distribute the bardana to the petitioners in time, and they were kept on hollow hopes, and now it is time that they may be directed to deliver the bardana to the petitioners.

Without prejudice the rights of the petitioners to receive bardana under the wheat procurement policy 2023-24 vide notification No. SO(W)-7(31)/2023-2024, it is for the respondent-Department to look into the entitlement of the petitioners, if any, which is subject to the availability of the bardana at their wheat procurement centers. If the respondent-Department is no longer in a position to distribute the bardana to the growers / khatedars, then the petitioners shall be at liberty to avail their remedy in accordance with law.

These petitions are disposed of in the above terms. Office to place a signed copy of this order in the captioned connected matters.

JUDGE

JUDGE