

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Const. Petition No.D- 434 of 2024

Date of hearing	Order with signature of Judge
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Hearing of Case

1. For orders on office objections
2. For hearing of main case

10-09-2024

Miss Farzana (Bhatti) Makwal, Advocate for petitioner.
Mr. Ghulam Abbas Kubar, Assistant A.G a/w Riaz Ahmed Bhutto,
Assistant Litigation Officer, Survey Superintendent Sukkur Division at
Khairpur.

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Chairman, Municipal Committee, Rohri is present and states that
Chief Officer, District Council, Sukkur may be called. Let notice be issued
to him for the next date of hearing to be present in person. Show-cause
notice issued against Chairman, Municipal Committee, Rohri stands
discharged.

Statement is also filed by Survey Superintendent, Sukkur Division
at Khairpur to show that in Survey No.132, there is a graveyard
admeasuring 05 acres; however, no boundary thereof has been marked.
Since this is a land which forms part of a larger survey so probably private
individuals are encroaching upon the graveyard's portion. The Survey
Superintendent is directed to mark boundaries of the graveyard through
the help of concerned Assistant Commissioner and Mukhtiarkar as well as
ensure that within the land designated for the graveyard, no sale and
purchase transaction to take place nor any one shall encroach upon the
said land. This Court's attention is drawn to the order dated 26.05.2021
passed in C.P.No.D-1294 of 2016, whereby Court directed the concerned
Deputy Commissioners to remove all encroachments from the graveyards
and to demarcate the lands of graveyards as well as construct boundary
walls in order to ensure that the graveyards in Sindh are preserved. The
Senior Member Board of Revenue was also directed to ensure that no

fresh mutation entries in respect of all the graveyards throughout Sindh Province be kept in the revenue record. Let Deputy Commissioner, Sukkur be present on the next date of hearing to apprise this Court as to how this Court's order referred hereinabove has been implemented and ensure that the subject graveyard is also preserved by erecting boundary wall once demarcation of the same is made. Let needful be done before next date of hearing.

Adjourned to **15.10.2024**. Office to provide a copy of this order to the office to AAG.

J U D G E

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Ahmad