

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Criminal Revision Application No. S- 62 of 2023
(*Aijaz Ali Rajper Vs. Nazir Ahmed @ Najoo & others*)

1. For Orders on office objection.
2. For Orders on MA No. 4652/2023 (Ex./ A)
3. For Orders on MA No. 4653/2023 (Sta/ A)
4. For hearing of main case.

ORDER.**06-02-2024.**

Mr. Nabi Bux Baloch, advocate for the applicant.

1. Over ruled.
 2. Granted subject to all just legal exceptions.
- 3&4. It is contended by learned counsel for the applicant that the private respondents have illegally dispossessed the applicant from his landed property. On the basis of such allegation, he filed a complaint for their prosecution u/s 3/4 of Illegal Dispossession Act, 2005, it has been dismissed by learned IIIrd Additional Sessions Judge Khairpur without lawful justification vide order dated 14-06-2023, same being illegal is to be examined by this Court.

As per report of Mukhtiarkar concerned that the revenue entry with regard to subject land in favour of the applicant is appearing to be suspicious, probably on the basis of such report the Direct Complaint filed by the applicant has been dismissed by learned trial Court by making an observation that Civil litigation between the parties over subject property is also pending adjudication before the Civil Court having jurisdiction and no case of Illegal Dispossession is made out. No illegality is noticed in the impugned order which may justify this Court to interfere with the same by way of instant CrI. Revision Application, it is dismissed in limine.

JUDGE

Nasim/P.A