

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 1766 of 2021

Date of hearing	Order with signature of Judge
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Present:

Mr. Muhammad Iqbal Kalhoro, J.
Mr. Arbab Ali Hakro, J.

Hearing of case (priority)

1. For orders on office objections at Flag-A
2. For orders on CMA No.946/2023 (C/A)
3. For orders on CMA No.1052/2022 (E/A)
4. For orders on CMA No.1053/2022 (I Rule 10 CPC)
5. For hearing of CMA No.8575/2021 (S/A)
6. For hearing of main case

19.03.2024

Mr. Sohail Ahmed Khoso, Advocate for petitioners.
Mr. Nizamuddin Chandio, Advocate for intervenors.
Mr. Liaquat Ali Shar, Additional Advocate General Sindh along with
Syed Ahmed Fawad Shah, Deputy Commissioner, Sukkur.

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Muhammad Iqbal Kalhoro, J. – After hearing Deputy Commissioner, Khairpur over the issue of cattle colony, which was required to be shifted from Khairpur city to the outskirts, it has been revealed that in consideration of a necessity emerging in the year 2005 and 2006, a plan was devised proposing construction of the cattle colony in the outskirts of Khairpur in Deh Mitho Mari near Rohri Canal. Livestock and Fisheries Department was assigned the task and was directed to establish such colony at the designated area. After a proper approval and sanction, the work started and continued for some time, but then due to lack of interest of executing agency, the scheme remained incomplete and finally was abandoned.

2. Out of 25 sheds, as proposed, the preliminary work on 19 sheds was completed. When the petitioners and other citizens running cattle pans within the city were asked to vacate the premises and shift to the new cattle colony, they, without any allotment, under the force and compulsion exerted upon them by the District Government, shifted to incomplete cattle colony and occupied some of the sheds, which has resulted in various disputes among them and other aspirants pending before various forums including this Court. Deputy Commissioner submits

that currently the executing agency is not owning the scheme, and meanwhile, a revised PC-I for completing the scheme has been submitted before the Planning & Development Department, which is pending approval.

3. We, therefore, in the circumstances, direct the Chief Secretary, Sindh to look into the matter, assign the task of supervision of completion of the cattle colony and allotment of sheds to the deserving people to the Deputy Commissioner, Khairpur, who is present and has conceded to undertake such exercise. The Deputy Commissioner shall pursue PC-I and seek its approval by the Planning & Development Department. In this regard, Planning & Development Department is also directed to consider the same in accordance with law and grant its approval sooner than later. After its approval, the Deputy Commissioner shall make sure completion of the scheme within time and allotment of the sheds to deserving people. He shall also ensure that the people, who have occupied the sheds illegally, shall vacate the same and participate in the process of allotments to be done transparently. The Deputy Commissioner would be authorized to implement this order notwithstanding any stay order over the issue granted by any Court working under this Court in the entire province. The Deputy Commissioner is directed to complete this task within three (03) months, or make, at least a tangible progress in this regard and submit such report before this Court for a perusal.

4. In order to see what progress has been made, we are adjourning this matter to **8th May 2024**, when a focal person of Deputy Commissioner, Khairpur shall appear and apprise the Court about the progress made till then. Let a copy of this order be communicated to the Chief Secretary Sindh, and Chairman, Planning & Development Board, Government of Sindh as well as learned Additional Advocate General Sindh for a perusal and compliance.

J U D G E

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Abdul Basit