

(21)

ORDER SHEET
IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA
Const. Petition No.D-236 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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For Katcha Peshi.

01.9.2016

Mr. Abdul Rehman Bhutto, Advocate for the petitioner.
Mr. Ahmed Hussain Khoso, Advocate for respondents No.4 to 8.
Mr. Syed Fida Hussain Shah, State counsel
Mr. Khadim Hussain Khooharo, DPG.

Through instant petition, the petitioner has assailed the order dated 24.2.2016 passed by the learned Sessions Judge/ Ex. Officio Justice of Peace, whereby he dismissed the Criminal Miscellaneous Application No.159/2016 filed by the petitioner under Section 22-A & B, Cr.P.C. As per the facts of the application under Section 22-A & B, Cr.P.C, the petitioner has sought directions to SHO PS Miani to register FIR for the allegations against the private respondents that they have occupied the land admeasuring 12-20 acres and also kept him in wrongful confinement.

The learned Ex. Officio Justice of Peace dismissed the application of the petitioner holding that the better course is available to the petitioner for filing complaint under Illegal Dispossession Act. Per learned counsel, the petitioner has yet not filed such complaint. The order passed by learned Ex. Officio Justice of Peace does not suffer from any illegality or irregularity requiring interference by this Court under its Constitution jurisdiction; therefore, this petition is dismissed. The petitioner is however at liberty to seek his remedy under usual mode of proceedings permissible under the law from the competent forum.



Judge

Abid H. Qazi**



Judge