

IN THE HIGH COURT OF SINDH, AT KARACHI

C.P. No. D-6464 of 2022

PRESENT:

**MR. JUSTICE AQEEL AHMED ABBASI
CHIEF JUSTICE
MR. JUSTICE ABDUL MOBEEN LAKHO**

Abdul Sattar Baloch

Versus

Province of Sindh and others

Date of hearing 06.11.2023

Mr. Muhammad Arif Sheikh, Advocate for the Petitioner.

ORDER

Abdul Mobeen Lakho, J. The Petitioner has invoked the constitutional jurisdiction of this Court by filing captioned petition with the following common prayers:-

...

“1. Direct the official Respondent No. 3 & 4 (Irrigation Department & Revenue Authorities) to produce relevant record pertains to the irrigation water course/distribution line and construction of Pakka Canal Odero Lal Water Channel at 105 Mori Deh Larak Jagir, Ghorabari, District Thatha and restrain them from blocking/stopping/restricting water supply to the lands of petitioner beyond approved share for his lands.

2. Direct Respondents to act according to law and their duties and not to provide any unlawful support to the private respondents or any other else and also direct them including the private respondents, not to cause any obstruction/hindrance to the petitioner in any manner whatsoever, to lawfully utilizing his lands/property.

...

2. Learned counsel for the Petitioner contended that officials of Irrigation Department, Government of Sindh have illegally stopped the source of duly approved share of water supply to the lands of the petitioner through Odero Lal Water Channel at 105 Mori Deh Larak

Jagir, Ghorabari, District Thatta under the garb of construction work of Pakka Canal/Channel to be start from 24th October, 2022. He further argued that despite repeated requests and enquiries the officials of Irrigation Department has refused to provide information regarding water distribution/supply to the lands of petitioner as per approved scheme and have also refused to provide site plan of construction of Pakka Canal/Channel. Per learned counsel, such mala fide acts of the official respondents are creating severe apprehension to the petitioner that the official respondents shall deprive the petitioner from his due share of irrigation water to cause damage/destruction to the standing crops of the petitioner. He further argued that despite filing complaints to concerned Executive Engineer as well as to the Secretary, Irrigation Department for redressal of his grievance but no avail.

3. Heard learned counsel for the petitioner. From perusal of memo of petition as well as going through the statement filed by the learned counsel for the petitioner along with some documents, reflects that the land, subject matter of these proceedings, is not yet transferred in the name of the petitioner, hence, the learned counsel for the petitioner did not make out a case to invoke the constitutional jurisdiction of this Court. The learned counsel for the petitioner has failed to properly reply the queries regarding the land in question and its entitlement, therefore, in our view, the petitioner did not make a proper case for interference by this Court in exercise of constitutional jurisdiction.

4. For the foregoing reasons, we have *dismissed* the instant petition along with pending application[s] vide our short order dated 06.11.2023.

Judge