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ORDER-SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA

Constt. Petition No. D- 430 of 2016.

Date of hearing	Order with signature of Judge
09.11.2017.	

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

Mr. Ashfaq Hussain Abro, Advocate for petitioner.
Mr. Shafi Muhammad Chandio, Addl. A.G alongwith
Mr. Muhammad Nawaz Soomro, S.E Saifullah Magsi Branch Circle
Larkana and Mr. Zahid Hussain, XEN, Saifullah Magsi Branch
Division Shahdadkot.

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In compliance of order dated 05.10.2017 and 01.11.2017 the respondent No.1 has filed statement/ comments, stating therein that the petitioner is "Khatedar" of watercourse No.18-L Ex- Shah Beg Distry and he moved an application on 11.02.2015 for shirting of head of watercourse from RD-22600 to 20645, which was forwarded to Executive Engineer, Saifullah Magsi Branch Division Shahdadkot by the Superintending Engineer of the said branch vide letter No.112, dated 12.02.2015 for report and verification of the site as per rules; thereafter the Superintending Engineer after receipt of case/ proposal of the petitioner proceeded with the matter through Mukhtiarkar Qubo Saeed Khan, Assistant Executive Engineer Saifullah Magsi Branch Sub Division Shahdadkot and then the Executive Engineer approved the proposal being competent authority for shifting of watercourse No.18-L Ex-Shah Beg Distry from RD22620 to RD 20645 in favor of petitioner under Sindh Irrigation Act, 1879 and further conveyed to Executive Engineer vide letter No.562 dated 09.7.2015 with directions that all expenditure involved in implementing the proposal will be borne by the petitioner. Later-on, Gulbahar and others moved an application requesting for cancellation of shifting of watercourse No.18-L, who were not relevant persons to object sanction of shifting of head of watercourse in favor of petitioner as per "Karia" register, as they are not shareholders of command area of watercourse No. 18-L.

Mr. Muhammad Nawaz Soomro, S.E Saifullah Magsi Branch Circle Larkana, is present and states that the letter dated 21.03.2016 issued by his office, whereby office letter dated 09.07.2015 was cancelled shall be withdrawn by him within a week time and thereafter he shall act upon letter dated 09.07.2015 in accordance with law.

In view of comments filed today and statement made by the respondent No.1, the counsel for the petitioner being satisfied seeks disposal of this petition in the light of comments/ statement filed today and undertaking given by the Superintending Engineer. Order accordingly. The petition stands disposed of.

Ansari/\*