

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Civil Revision Application No. S-18 of 2024

(Misri Khan & others Vs. Akhtar Hussain & others)

DATE OF HEARING	ORDER WITH SIGNATURE OF JUDGE
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1. For Orders on office objection.
2. For hearing of main case.
3. For hearing of CMA No.393/2024 (Stay)

14-10-2024.

Mr. Niazuddin Memon, advocate for the applicant.

Mr. Asfandyar Kharal, Assistant A.G, Sindh along with Riaz Ali Bhutto Assistant Survey Superintendent, Khairpur.

Counsel for the applicant states that the Government Barrage Land bearing S.No.207 & 208 comprising upon 04 acres each, having four portions No. 1,2,3,4 situated in deh Ihsan Jaro, Taluka, District Khairpur, out of which 2-00 acres of portion No. 3 & 4 of Survey No. 207 were granted by the Colonization Officer Sukkur Barrage Hyderabad in the name of Misri Khan, father of the applicants while the remaining portion of the land was granted in the name of Muhammad Hassan, father of the respondents. He further states that applicants are in possession of portion No. 3 & 4 of Survey No. 207 while the respondents are in possession of portion No. 1 & 2 of same Survey number and the applicants wants to get demarcation of portion No. 3 & 4 of S.No. 207 for which, the trial Court passed orders.

Mr. Fakair Muhammad Arain advocate files power along with power of attorney on behalf of respondent, which is taken on record. He states that according to entry No. 187 dated 25-05-2008 of Village Form No. VII-B, S.No. 207/1 & 2 admeasuring 02-00 acres entered in

the name of Muhammad Hassan, which have been forcefully taken over by the present applicant

Assistant Survey Superintendent Khairpur is present and states that portion No. 1 & 2 of S.No. 207 situated in deh Ihsan Jaro is mentioned in the map while portion No. 3 & 4 of S.No. 207 are not in the field. But this claims is denied by the learned counsel for the applicants which relies upon entry No. 4 which shows Survey Nos. 207/3 and 207/4 each measuring one acre.

However, learned counsel for the applicant states that he will be satisfied and would not pressed the instant Civil Revision Application, if the Survey Superintendent is directed to get demarcation of portion No. 3 & 4 of S.No. 207 each measuring one acre

In these circumstances, the applicant to immediately dispossess himself of survey Nos. 207/1 and 207/2 each ad-measuring one acre and the Survey Superintendent Khairpur is directed to demarcate the portion No. 3 & 4 of S.No. 207 ad-measuring 01 acre, if any, and submit such report before this Court within 30 days. The instant Civil Revision Application is disposed of in above terms.

Judge