

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
CP No. D-419 of 2025**

(Fazal Jalaal v. Province of Sindh & Others)

DATE: **ORDER WITH SIGNATURE(s) OF JUDGE(s)**

1. For Orders on CMA No. 5071 / 2025 (Urgent App)
2. For Orders on CMA No. 2495 / 2025 (Exemption App)
3. For Orders on CMA No. 2536 / 2025 (Stay App)
4. For Hearing of Main Case

12-3-2025

Mr. Ismail Shah, Advocate for Petitioner

As evident from the contents of the main Petition (particularly paragraphs 8 & 9), the core dispute in this case appears to be essentially between the Petitioner and private Respondent No.4, who is alleged to have unlawfully sealed a plot of land claimed by the Petitioner.

Furthermore, the land purportedly purchased by the Petitioner (specifically, 1 acre out of a total of 8 acres) was originally leased to the Petitioner's predecessor(s) in Deh Manghopir for 30 years for poultry farming / agricultural purposes. It was later converted into a 99-year lease for industrial / commercial / residential use and subsequently "*re-sited / shifted*" to Deh Orangi. However, this purchase was made by the Petitioner vide a Sale Agreement dated 30.11.2019 and the said piece of land was later regularized by the official Respondent No.2 (Land Utilization Department, Sindh) on payment of differential price (*malakano*) via letter dated 27.3.2023 (**Court File Pg. 27**). Notably, this transaction occurred after the Supreme Court had explicitly restrained the Government of Sindh / Revenue Department from "*mutation, allotment, transfer, and/or conversion of any state land*" through its order dated 28.11.2012, as further clarified by its order dated 23.6.2014, issued in *Suo Motu* Case No.16 of 2011. In light of this, the Petitioner's claim is rendered legally questionable and warrants scrutiny.

It is a recognized legal principle that Article 199 of the *Constitution of Pakistan, 1973*, cannot be invoked against a private party in the manner set out in the Petition and that any private/civil dispute between the parties is to be dealt with by the competent civil court. Given this fundamental limitation, the appropriate legal recourse for the Petitioner would be to seek redress of his alleged grievance through civil proceedings in conformity with law.

Under these circumstances, the present Petition being misconceived is **dismissed in limine**.

JUDGE

JUDGE