

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
C. P. No.D-1012 of 2017
(Meer Bahadur Ali Khan v. P.O Sindh and others)

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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BEFORE:
Mr. Justice Muhammad Saleem Jessar.
Mr. Justice Adnan-ul-Karim Memon.

Date of hearing & Order: 19.03.2025

Mr. Ali Azher Tunio, advocate for the petitioner.
Mr. Liaquat Ali Shar, Addl. A. G, Sindh.

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ORDER

Adnan-ul-Karim Memon, J;

Petitioner seeks the following relief;

a) To direct the respondents to submit a complete report in respect of water course No.18 L, 18 DL and 17 CR Ex-Shahbeg Distry from RD 22620 to RD 20645.

b). To direct the respondents to provide relief to the petitioner as contemplated in the letter dated 09.07.2015 with regard to water course 18 DL only.

c). To direct the respondents to withdraw the letter dated 21.03.2016 in respect of 18 DL Ex-Shahbeg Distry from RD 22620 to RD 20645.

d). To direct the respondents to discontinue the supply of water to water course 17 CR and to shift the same to its original location.

2. A landowner with 150 acres is disputing the cancellation of an approved watercourse relocation. He claims a neighboring landowner, Respondent No. 5, unfairly influenced the decision and is disrupting water flow and causing unrest. The landowner seeks court intervention to reinstate the original approval and address the neighbor's actions.

3. We have heard the learned counsel for the parties and perused the record with their assistance.

4. The petitioner sought to relocate a watercourse head for irrigation, which was initially approved but then reversed due to a neighbor's objection. The petitioner's lawyer challenged the reversal as illegal. Agreeing to rely on

the official respondents' comments and a prior court order (CP No.D-430 of 2016) involving a similar issue, the lawyer requested the petition be disposed of in the said terms. The Additional Advocate General stated that he has no objection to the petition being disposed of per the directions of the order dated 9.11.2017 passed in CP No.D-430 of 2016.

5. This court, noting the absence of the objecting neighbor, ordered a notice to be served however he is called absent. The petitioner's approved watercourse relocation was reversed due to a neighbor's objection, which the petitioner challenged as illegal. Relying on official comments and a prior similar court order, the petitioner's counsel agreed to dispose of the petition in the said terms.

6. By consent, this petition stands disposed of in the terms of the ratio of the order dated 9.11.2017 passed in CP No.D-430 of 2016.


JUDGE

JUDGE
19/3/2025