

IN THE HIGH COURT OF SINDH, KARACHI
High Court Appeal No.203 of 2022
[Muhammad Naeem v. Government of Sindh]

High Court Appeal No.204 of 2022
[Ubed ullah Shaikh v. Government of Sindh]

High Court Appeal No.205 of 2022
[Abdul Hameed v. Government of Sindh]

Present:
Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Muhammad Osman Ali Hadi

05.05.2025.

M/s. Ziaul Haq Makhdoom and Muhammad Arif Shaikh,
advocates for Appellants.
Mr. Muhammad Hisham Mahar, Assistant Advocate General.

O R D E R

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MUHAMMAD IQBAL KALHORO J: Appellants filed suits for declaration, direction and permanent injunction before this Court on Original Side. Learned Single Judge on 02.06.2022 while dealing with various misc. applications has passed certain observations cited below, which have been impugned here.

2. In all the three suits, appellants had filed separate application(s) stating that they had paid challan fee in respect of occupancy price of the land hence the defendant may be directed to make compliance of the formalities in accordance with law. These applications were allowed with direction to defendant to complete the codal formalities in accordance with law. However, at the same time, the learned single Judge made an observation directing the defendant to re-submit the summary to the competent authority for rationalization of the price of the land as per prevailing market value. This has prompted the appellants to file these appeals stating that the price already fixed by the Government is in accordance with notification(s) issued in this

regard and hence no purpose would be served if the summary is re-sent/re-submitted for the said purpose before the Competent Authority.

3. Learned AAG submits that if the summary for fixing the price of the land at market rate is re-submitted, it will not cause any harm or prejudice to the plaintiffs/appellants, as according to him, *prima facie*, the precious land has been given to the appellant/plaintiff on a throwaway price.

4. After hearing the parties and considering their pleas, we dispose of these appeals by directing the competent authority to re-consider the application(s) of the plaintiffs/appellants for fixing the occupancy price of the land in the terms as directed by learned single Judge, however, in the light of all the relevant Notifications plus Land Grant Policy and most importantly in accordance with law within a period of one month. After the decision is made, the same may be communicated to the learned trial Court for proceeding with the suits on merits.

The appeals are accordingly disposed of in above terms.

JUDGE

JUDGE

HANIF