

ORDER SHEET  
**IN THE HIGH COURT OF SINDH,**  
CIRCUIT COURT, HYDERABAD.

M.A.No. 31 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For orders on CMA 938/2025.
- 2. For hearing of CMA 3880/2024.
- 3. For hearing of CMA 3881/2024.
- 4. For hearing of main case.

01.12.2025.

Mr. Babar Azeem Khan, Advocate for appellants.

Mr. Wali Muhammad Jamari, Assistant A.G, Sindh alongwith  
Muhammad Bux Narejo Mukhtiarkar Thana Bula Khan.  
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Heard counsel for the appellants as well as learned A.A.G. Counsel for the appellants has placed reliance on the cases reported as ***Government of Khyber Pakhtunkhwa through Deputy Commissioner Swabi and others v. Said Amin and others*** (2023 YLR 2522), ***Amir Jamal and others v. Malik Zahoor-ul-Haq and others*** (2011 SCMR 1023), ***Dr. Nusrat Aziz through Attorney v. City District Government, Karachi*** (2016 CLC Note 2) and ***Mst. Ghulam Sakina v. Member (J), Board of Revenue Hyderabad and others*** (PLD 2004 Karachi 391). The Miscellaneous Appeal is allowed alongwith listed applications to the extent that Anti-Encroachment Tribunal’s observations that “the anti-encroachment drive conducted by the Mukhtiakar Revenue, Taluka Thano Bulla Khan, was not in accordance with the law. Copy of this order be sent to Senior Member, Board of Revenue, Commissioner, Hyderabad and Deputy Commissioner, Jamshoro. However, after making such observations the trial Court could not reach to the conclusion of dismissal of the Suit. Therefore, the order passed by the Tribunal is set asid except as above. This order will remain subject to the final determination of the title of the appellants as there have been allegations

of their title on the grounds that these properties are of Government land which will be determined by the revenue machinery in accordance with law.

JUDGE

Tufail