

ORDER SHEET

**IN THE HIGH COURT OF SINDH, CIRCUIT COURT
LARKANA**

*Constitutional Petition D-1305 of 2025.
(Haji Muhammad Fazul Siddique vs Province of Sindh and
others)*

Date	Order with signature(s) of Judge(s).
------	--------------------------------------

*Before:-
Mr. Justice Amjad Ali Bohio,
Mr. Justice Ali Haider 'Ada'.*

1. For orders on M.A. No.2757/26 (E/A).
2. For orders on M.A. No.2758/26 (Review Appln).

07.10.2026.

Mr. J.K. Jarwar, Advocate for the applicant/petitioner.
Mr. Liaquat Ali Shar, Additional Advocate General
Sindh.

Ali Haider 'Ada' J.- The instant petition was already disposed of by vide order dated 12.03.2026. Thereafter, the petitioner filed a Review Application, and pursuant to the order passed by the Honourable Head of the Constitutional Bench of this Court, the matter was referred to this Bench, as it was sitting at the Larkana Circuit Court. It is in such circumstances that the matter has been fixed for hearing today.

The petitioner filed C.M.A. No.2758/2026 under Sections 114 and 151 CPC, seeking review of the order dated 12.03.2026, mainly on the ground that the matter be remanded to the concerned revenue functionaries and also raising certain grounds regarding issuance of the sale certificate.

Learned counsel for the petitioner contended that the order passed by the Member, Board of Revenue, does not reflect that the

same was actually withdrawn and that the said order had not attained finality. He further submitted that the matter may be remanded to the revenue hierarchy for issuance of the sale certificate. It is also contended that the petitioner is partly satisfied and partly aggrieved by the order passed by the Member, Board of Revenue.

On the other hand, learned Additional Advocate General Sindh submitted that no specific ground warranting review of the earlier order has been made out and that the Review Application is misconceived and frivolous.

Heard and perused.

The Review Application mainly rests upon the contention that the order passed by the Member, Board of Revenue, was withdrawn and that the matter ought to be remanded for issuance of the sale certificate. However, these aspects had already been discussed in detail order dated 12.03.2026, sought to be reviewed. In paragraph No.6 of the said order, it was specifically observed that the petitioner had not challenged the order of the Member, Board of Revenue, and, during the course of arguments, learned counsel for the petitioner had even admitted that the petitioner was agreeable to certain aspects of the said order and had not challenged the same.

Furthermore, the order passed by the Member, Board of Revenue, reflects that the property in question is Central Government property. Thus, such disputed questions of fact cannot ordinarily be determined in constitutional jurisdiction. This aspect was also clearly considered in paragraph No.7 of the order dated 12.03.2026, wherein it was observed that such disputed questions could not be resolved in constitutional jurisdiction.

In view of the foregoing, no error apparent on the face of the record or any other ground warranting review of the order dated

12.03.2026 has been pointed out. The grounds raised in the Review Application do not disclose any sufficient basis for interference with the earlier order. The Review Application is, therefore, misconceived and devoid of merits and is accordingly dismissed. There shall be no order as to costs.

JUDGE

JUDGE