

HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-1200 of 2026

[Mst. Parvez Jabeen vs. Province of Sindh and others]

Before:

JUSTICE ADNAN-UL-KARIM MEMON
JUSTICE MUHAMMAD JAFFER RAZA

Petitioner:	By Mr. Muhammad Asad Ashfaq Tola advocate
Respondents	Mr. Ghulam Abbas Sangi Assistant Attorney General and Mr. Ayaz Ali Rajper Assistant A.G Sindh
Date of hearing	15.10.2026
Date of Decision	15.10.2026

O R D E R

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ADNAN-UL-KARIM MEMON J:- The petitioner challenges the inquiry/proceedings initiated by respondent No.5 pursuant to complaint dated 04.02.2026 and letter dated 10.02.2026, questioning her title and ownership of land bearing Old Survey Nos.132/1 and 2, subsequently assigned New Block Survey Nos.583/1 and 2, measuring 7 acres and 35 ghuntas, situated at Deh Mirzapur, Taluka Qasimabad, Hyderabad.

2. The learned counsel submits that the subject property originally formed part of the ancestral landholding of late Chaudry Mohammad Sadiq, whose ownership and retention of the land were recognized during the Land Reforms proceedings of 1959. The property was subsequently gifted to the petitioner, Mst. Parvez Jabeen, and the transfer and creation of new block survey numbers were duly reflected in the revenue record. The petitioner counsel contends that the gift and retention of the subject property were recognized in the Land Reforms proceedings of 1972 and approved by the Deputy Land Commissioner vide order dated 28.12.1972. Thereafter, the Federal Land Commission initiated suo motu proceedings concerning the landholding of late Chaudry Mohammad Sadiq but confined its scrutiny to other gifted lands, excluding the subject property. The subsequent order dated 03.10.1976 was challenged before this Court in C.P. No.D-47/1977 and was held erroneous vide judgment dated 21.05.1979. According to the petitioner, her ownership has remained

undisputed for approximately fifty years and is supported by longstanding revenue entries and the historical proceedings of the competent authorities. It is further submitted that the petitioner executed an irrevocable General Power of Attorney dated 13.04.2023 in connection with a housing project, and the land was converted from agricultural to commercial use, as reflected in Form-II entries of August 2023, creating third-party rights therein. The petitioner counsel argues that respondent No.5 lacks jurisdiction to adjudicate a dispute concerning title and ownership, which, under Section 53 of the Sindh Land Revenue Act, 1967, is to be determined by the competent civil court. He maintains that the impugned proceedings seek to reopen matters already concluded through the Land Reforms proceedings and are barred by the principles of res judicata, constructive res judicata, past and closed transactions, and limitation, particularly in view of the judgment of the Supreme Court in Qazalbash Waqf v. Chief Land Commissioner (PLD 1990 SC 99). He alleges that the proceedings constitute an arbitrary and colourable exercise of authority, violate Articles 10-A and 24 of the Constitution, and unlawfully threaten her settled proprietary rights as such the petitioner seeks a declaration that the impugned proceedings are illegal, without jurisdiction and void, their setting aside, permanent restraint against coercive or adverse action, costs, and any other appropriate relief.

3. We have gone through the proceedings and the annexures so filed by the counsel for the petitioner. However, tentatively, there is nothing adverse against the petitioner; and if any adverse view is taken by the revenue hierarchy, the petitioner will be at liberty to assail the legality of the proceedings before the appropriate forum, therefore, the constitutional jurisdiction cannot be invoked in apprehension case under any legal substance.

4. In view of the above, without touching the merits of the case, this petition stands **disposed of**. However, if any adverse view is taken against the petitioner by the competent authority, petitioner may also avail the remedy before the Court of competent jurisdiction subject to all just exceptions as provide under the law.

JUDGE

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