ORDER SHEET

IN THE HIGH COURT OF SINDH,

CIRCUIT COURT, MIRPURKHAS

Constitutional Petition No.D-1471/2024

DATE	ORDER WITH SIGNATURE OF JUDGE

1. For order on office objection
2. For order on M.A No.3384/2023
3. For hearing of main case

18.11.2026

Mrs. Razia Ali Zaman Patoli advocate for the petitioner.

Mr. Ghulamullah Memon A.A.G.

=

The petitioner has filed instant petition and prays as under:-

a) That this Honorable Court may very graciously be pleased to cancel the letters dt: 06-04-2023 a/w sketches, being illegal, mala fide and in contravention of policy matters & rule, thereby issuing directions to respondents No. 12 (Contractor) to raise rapid construction of Medical dispensary at Muraad Paro Village Peerani Jo Par, Taluka Chachro/Dahli, District Tharparkar @ Mithi before wastage of Construction Material already available at approved location and submit report before this Hon'ble Court.

b) That this Honorable Court may be pleased to issue strict direction to respondent No. 8 & 9, not to retrain, harass and pressurize the concerned Contractor/ Respondent No. 12 from raising construction work of Medical dispensary at Muraad Paro, Village Peerani Jo Par by misusing their power and position and act in accordance with law.

c) That this Hon'ble Court may be pleased to issue direction to respondent No. 5 i.e. SSP Tharparkar to remove the hurdles, and pressure from the concerned contractor and provide him protection and suitable atmosphere for rapid construction work of Medical Dispensary Muraad Paro Village Peerani Jo Par, Tauka Dahli District Tharparkar @ Mithi.

d) That any other relief which this Honorable court may deems fit and proper to award the petitioners

Perusal of the record reflects that the issue has already been decided in CP No.D-417 of 2017 *"Re-Haji Kamil Vs. Province of Sindh & others",* vide order dated 17.11.2022. Paragraph No.6 of the said order is reproduced hereunder:

> "Primarily the respondents have undertaken to construct a dispensary at village Pirano Jo Par Murad Parho Taluka Chachro District Tharparkar which is a policy decision and this Court cannot indulge in policy affairs of Government of Sindh until and unless it is shown that the policy is based upon malafide intention".

After the decision of this Court, the respondents are changing the location of the subject dispensary, which is against the order passed by this Court and the undertaking given by the respondents before the Court in the earlier petition. Accordingly, this petition is disposed of with directions to the respondents to comply with paragraph No.6 of the order passed in the aforesaid petition.

The petition stands disposed of in the above terms. Office is directed to communicate a copy of this order to the learned A.A.G for compliance.

JUDGE

JUDGE

Chander Kumar