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IN THE SUPREME COURT OF PAKISTAN

(Appellate Jurisdiction)

PRESENT:

Mr. Justice Gulzar Ahmed, CJ

Mr. Justice Ijaz ul Ahsan

Mr. Justice Qazi Muhammad Amin Ahmed

Crl.M.A.Nos.7-K & 8-K of 2015

And

HRC No.3193-P of 2009

And

CMA No.1124-K of 2016

In Attendance : Mr. Salman Talib ud Din, AG Sindh
Mr. Shams ud Din Soomro, SMBR Sindh
Malik Akhtar H. Awan, Addl.AG, KP
Mr. Ayaz Khan Swati, Addl.AG Balochistan
Dr. Haq Nawaz Talpur, DAG

Date of Hearing : 25.11.2021


ORDER


Mr. Shams-ud-Din Soomro, Senior Member, Board of Revenue, Sindh ("**SMBRS**") has submitted a report bearing No.119-K of 2021 which is completely unsatisfactory and is outrightly rejected. It seems that SMBRS is dragging his feet and taking an evasive posture before the Court in making compliance of the orders which have been passed by this Court from time to time regarding removal of encroachments from all Government lands in the Province of Sindh so also from lands which are meant for parks, playgrounds, graveyards and other amenity purposes, solely for the use and welfare of the people. Such conduct of the SMBRS is tantamount to defiance of the Court orders, which have been passed in this matter, most particularly, the last mentioned order dated 26.10.2021. The SMBRS states that he will seriously conduct his job and ensure

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due compliance of the Court orders and will also ensure that all his subordinate offices do perform their respective functions as they are required to do by the law. Let a comprehensive report in this regard be submitted by the SMBRS in one month when further proceedings in the matter will take place.

2. A report hearing No.117-K of 2021 has been filed by Senior Member, Board of Revenue, Khyber Pakhtunkhwa ("**SMBRKP**") showing progress that is being made in respect of computerization of revenue records and settlement of lands of various districts of KP Province. We note that the report does not contain any reference to the encroachments which have been made in the Province of KP or the State land belonging to various departments of KP Government. We further note that the lands which are meant for public parks, playgrounds, graveyards and other amenity purposes as well as open areas have to be cleared from all encroachments and restore for what they are meant. Let a report in this respect be filed by SMBRKP giving details of the encroached lands all over KP Province and measures taken by him for retrieving them and if any building or structure made on the encroached lands is found, the manner in which the same is being dealt with by him shall also be explained. In our view, all structures and buildings made on the encroached lands need to be erased. Let such report be also filed by the SMBRKP in one month. He shall be present in person before this Court on the next date of hearing.



3. Pursuant to the order of this Court dated 26.10.2021, Senior Member, Board of Revenue, Balochistan ("**SMBRB**") has filed a report showing progress made in respect of computerization of revenue records in the Province of Balochistan. We note that the report does not contain any specific reference to the encroachments which have been made in the Province of Balochistan so also the lands belonging to various departments of Government of Balochistan that are actually meant for public parks, playgrounds, graveyards and other amenity purposes. We also note that all such lands as well as open areas have to be cleared from all encroachments and restore for the purposes for which they are meant. Let a report in this respect be filed by SMBRB showing details of the encroached lands all over the Province of Balochistan and the measures taken by him in retrieving the same. In case, any building or structure made on the encroached lands is found, the manner in which the same is being dealt by the SMBRB shall also be explained in the report. In our view, all structures/buildings raised on the encroached lands need to be erased. Let such report be also filed by the SMBRB within a period of one month. He shall also be in attendance before this Court on the next date of hearing. 

KARACHI, THE

25th of November, 2021

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Not Approved For Reporting

