

IN THE SUPREME COURT OF PAKISTAN
(ORIGINAL JURISDICTION)

PRESENT:

MR. JUSTICE TASSADUQ HUSSAIN JILLANI, HCJ
MR. JUSTICE ANWAR ZAHEER JAMALI
MR. JUSTICE KHILJI ARIF HUSSAIN

S.M.C. NO. 16 OF 2011 ETC

(Suo moto action regarding law and order
situation in Karachi)

In Attendance: Mr. Salman Aslam Butt, Attorney General
Mr. Waqas Qadeer Dar, DAG
Mr. Aslam Butt, DAG
(On Court Notice)

Mr. Abdul Fateh Malik, A.G. Sindh
Mr. Sher Shah, P.G. Sindh
Mr. Adnan Karim, AAG Sindh
(For Government of Sindh)

Mr. Shahid Hayat, Addl. I.G. Sindh
Mr. Ali Sher Jakhrani, DIG
(For Police)

Mr. Nazar Muhammad Leghari,
Consultant BOR
Mr. Zulfiqar Ali Shah, Member BOR(IT)
Mr. Yawar Ali, ASC
Mr. Ahmed Pirzada, ASC
(For BOR)

Date of Hearing: 24.02.2014

ORDER

REGARDING LAND GRABBING

Mr. Zulfiqar Shah, Member (Technical) Board of Revenue, Sindh, has submitted a detailed report in CMA No. 834/2013 wherein he has *inter alia* submitted that with the assistance of satellite imagery of GIS Section, illegal occupancy of Government land has been identified and verified of an area of 52,1032 acres by various institutions and 7672 acres by private persons. Adds that action is being taken to remove the illegal encroachments and Anti Encroachment Police Force headed at present by Mr. Arif Aziz has been entrusted with the task.

2. Mr. Nazar Muhammad Leghari, Consultant, Board of Revenue has also submitted a report and adds that there is a law in place in Sindh called the Sindh Public Property (Removal of Encroachment) Act, 2010 which provides issuance of notices to illegal occupants before an action is taken. Adds that notices have been issued. However, he was not in a position to give details of the number of notices issued and whether those have been challenged in courts of competent jurisdiction and a stay order has been issued against those notices or not.

3. Let Member, Board of Revenue submitted a detailed report about the notices issued in terms of the above and the fate of those notices. Mr. Arif Aziz who heads the Anti Encroachment Police, Board of Revenue shall also appear and submit a progress report on the next date. To come up on 26.2.2014.

C.R.P. NO. 2-K/2014 IN CMA NO. 589-K/2013

3. Let this review petition be fixed before a 5 Members Bench on 26.2.2014. All other cases of 5 Members Bench shall also be taken up on 26.2.2014.

4. Learned Attorney General for Pakistan submits that in terms of paras 3, 4 & 5 of the order dated 29.11.2013, Attorney General and Advocate General Sindh had submitted in writing the names of technical, judicial and accounting members for the proposed Commission. So far as para 3 is concerned, he submitted that the PTA was to submit a report. Mr. Ali Akbar appearing for PTA submits that the report shall be submitted during the course of the day today. Let this matter be taken up on 26.2.2014 because it is a 5 Members Bench's order.

CRIMINAL ORIGINAL PETITION NO. 84/2013

5. Petitioner submits that a gruesome incident took place in Abbas Town as a result of which about 50 persons lost their lives and this Court while taking suo moto notice of this case had expressed dismay over the fact that immediately after the incident no police officer reached the spot rather the media persons reached the spot before any officer was there. The incident *prima facie* reflected not only inaction on the part of the concerned police officers but also demonstrated their inefficiency. That being so, the Court had directed that *"in the circumstances, we direct the Chief Secretary, Government of Sindh, being the head of the Executive that immediately suspend SSP, DSP and SHO and issue such notification during the course of the day. The also be directed to join interrogation on account of their criminal negligence in not providing the assistance to the inhabitants."* Petitioner makes a grievance that though the afore-referred order, Rao Anwar Ahmed who was then posted as SSP Maleer where the incident took place was suspended in terms of this Court's order. However, without any departmental inquiry he was not only reinstated but given another posting. Let notice be issued to Inspector General of Police, Sindh, to personally appear on 26.2.2014 to explain the factual position.

6. The rest of the case will be taken up on 26.2.2014.

CHIEF JUSTICE

JUDGE

JUDGE

Karachi, the
24th of February, 2014
Not Approved For Reporting
Khurram