



DECISION

Complaint No. : POS/1975/TTA-17/2023
POS/2384/TTA-24/2023

Name and address of the complainant : M/s. Muhammad Rahim & Muhammad Siddique,
Both S/o. Din Mohammad, R/o. Village
MuhammadAchar Doki, Taluka Ghorabari,
District Thatta.

Name of the Agency Complained against : Irrigation Department

Name & Designation of Investigating Officer : Dr. Riaz Ahmed Siddiqui
Regional Director, Thatta.

Vetted by : Shahid Ahmed Hashmi
Consultant Legal

Subject : **DISMANTLING OF WATERCOURSE OF RD 31-5(30L) AND EXCAVATING ANOTHER WATER COURSE.**

THE COMPLAINT:

This single decision also resolves another complaint of the complainant bearing No. POS/2384/TTA-24/2023, filed against the same agency on similar issue.

M/s. Muhammad Rahim & Muhammad Siddique have filed two complaints dated; 09-03-2023 and 22-03-2023, regarding inaction of agency against their officials namely Mr. Ayob Kehar and others who dismantled watercourse No. RD 31-5 (30L) and excavated another watercourse from Sanwalpur Shakh, in his area. On failure in getting relief from the agency, the complainant approached this office for redressal of grievance.

PROCEEDINGS:

2. The complaint was admitted. The matter was taken up with the Assistant Executive Engineer Irrigation Department, Thatta. The agency's report dated 17.08.2023 revealed that typically it is a dispute between the complainant and another individual on distribution of land by a Revenue Court which passed an order on 09.06.1998. The report states that no watercourse has been sanctioned to the complainant. The sanction and upgradation of watercourse is contingent upon demarcation of land by the revenue officials. The report further elaborates that dispute over partition of the land was declared as a civil dispute by the 2nd Additional Session Judge Thatta on 22.06.2018. Currently, a Civil Suit No. FC-04 of 2021 is pending adjudication before the Court of the Civil judge Thatta.

REJOINDER:

3. The complainant appeared in person on 15.10.2024 and admitted that the matter is subjudice over the dispute of ownership of the land in-question.

FINDINGS:

4. The complaint ~~typically~~ relates to declaration of ownership. Until and unless the declaration is decided by a competent Court of law, no maladministration could be attributed to the agency. By all means it is a civil dispute which does not attract the jurisdiction of this office.

(2)

DECISION:

5. In view of the above, both the complaints stand disposed of as sub-judice.

Given under my hand & seal of office.



Sd /-

(MUHAMMAD SOHAIL RAJPUT)

Sitara-e-Imtiaz, PAS
Ombudsman, Sindh.

Karachi, Dated **24~~th~~** June, 2025

