



## **DECISION**

Complaint No. : POS/7947/2024/F-02

Name and address of the complainant : Mr. Imtiaz Ali S/o Muhammad Ishaque (Attorney), House No. 21, Block-189, Railway Colony, Raiti Line, Railway Colony near Cantt Station, Karachi.

Name of the Agency Complained against : Revenue Officials, Dadu

Name & Designation of Investigating Officer : Syed Ali Mumtaz Zaidi, (PAS), Advisor-F

Vetted by : Shahid Ahmed Hashmi, Consultant-Legal

Subject : **THE ALLEGED INACTION ON COMPLAINANT'S APPLICATIONS BY THE REVENUE OFFICIALS DADU, IN UPDATING HIS NAME IN LAND RECORDS, PERTAINING TO PARCELS OF LAND MEASURING 04-28 ACRES OF SURVEY NOS 232 & 233, SITUATED IN DEH JHANG, DADU.**

### **THE COMPLAINT:**

Mr Ayaz s/o Muhammad Ishaq Hingoro through his Attorney Mr Imtiaz Ali, who happens to be his real brother, filed a complaint on 15.12.2022 against Revenue officials Dadu, for their alleged delay in updating his name in record of rights on the basis of registered Power of Attorney, executed by individuals in his favor from whom he had purchased the land, measuring 04-28 acres, bearing Survey No. 232 & 233 of Deh Jhang. Hence he was compelled to take assistance of this office for redressal of his grievances.

### **PROCEEDINGS:**

2. The complaint was admitted and referred to Deputy Commissioner Dadu for response. The D.C Dadu vide his report dated 06.03.2023 informed this office about an *Appeal* filed by Allah Rakhio and others under the Land Revenue Act for reconstruction of records of Survey No. 232 & 233. The report included a direction to Mukhtiarkar Dadu, to file an *up-date* on land ownership (s), current possession and ongoing litigation details. The report indicates that resolution of the issue depends upon receiving the requisite report from the concerned Mukhtiarkar.

3. Complainant, while commenting on report vide his rejoinder dated 03.05.2023, stated that according to his information received from concerned Tappedar all the records were burnt or damaged during the 2007 riots. The land is currently occupied by one Mr. Najamuddin, who allegedly benefited from the destruction of land records in 2007. He claimed that the record of registered power of attorney is available in Microfilming Office Hyderabad, from where; the authenticity of the power of the attorney can be verified.



(2)

4. The case remained under investigation. Hearings held. On 06.02.2025, Mr. Abdul Hameed Mughal, Additional Deputy Commissioner-I, Dadu, appeared in person and submitted a report dated 04.02.2025. The report reveals the nature of dispute as reconstruction of record of rights in respect of Survey No.232 & 233 of Deh Jung, with reference to an Appeal filed by Allah Rakhio and others under Section 161 of Sindh Land Revenue Act 1967 is landed before the Presiding Officer i.e. Additional Deputy Commissioner where hearings were held on regular basis. The report states that the complainant, based on registered power of attorney wants transfer of land in his favor. The report further states that most of the executors of power of attorney have passed away, rendering the power of attorney questionable, as the Appellants being heirs of deceased, seek reconstruction of records in the name of their ancestors, the original owners or co-sharer of the land.

**FINDINGS:**

5. Considering the hearings and reports, I conclude that:

- i. The complainant seeks to update land records to reflect his ownership based on a power of attorney, whereas, the appellants being deceased's heirs, who granted power to the complainant, request restoration of records in their ancestor's names, as they were before 2007 riots.
- ii. The Micro Filming Officer, Hyderabad vide Report dated 16.06.2021 confirms the genuineness of the power of attorney, as claimed by the complainant. However, on the other side, the matter has now been complicated by the fact that several executors of the Power of Attorney, granted to the complainant, have been passed away. Their heirs are now in conflicts with the complainant over the validity of Power of Attorney.
- iii. Currently, the heirs of the deceased executors of power of attorney are pursuing an Appeal filed before the office of the Additional Deputy Commissioner, Dadu under Section 161 of the Land Revenue Act, 1967, for reconstruction of burnt/damaged records in its original form, as it was before 2007 riots.
- iv. Under the Land Revenue Act, 1967, the Collector has the authority to handle land related matters, including updating of land records, cancelling fraudulent entries, besides, adjudicating ownership's disputes.
- v. The dispute goes beyond mere allegations of maladministration, as the validity of registered power of Attorney and possession of land needs to be determined by Revenue Court under the Land Revenue Act.
- vi. Section 9 (a) of the Ombudsman Act, 1991, debars jurisdiction of this office over a matter, if found to be subjudice before a Court.

**DECISION:**

6. Given the foregoing, the proceedings are hereby dropped. The matter is closed without any order; case file is consigned to record.

Given under my hand and seal of the Office



Sd /-  
(MUHAMMAD SOHAIL RAJPUT)  
SITARA-E-IMTIAZ. PAS  
OMBUDSMAN, SINDH  
Karachi, Dated 9<sup>th</sup> May, 2025