

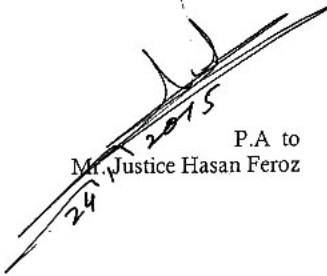
To,

The Member Inspection Team-II,
High Court of Sindh, Karachi

SUB: ANNUAL INSPECTION OF JUDICIAL DISTRICT
THARPARKAR @ MITHI AND UMER KOT.

I have the honour to submit herewith the Inspection Report of district Tharparkar @ Mithi and District Umer Kot conducted by Hon'ble Mr. Justice Hasan Feroz, as per schedule issued by your office. The data/information gathered from the Courts of both the Judicial Districts for the purpose of inspection on prescribed proforma is also sent herewith.

Thanks.


P.A to
Mr. Justice Hasan Feroz

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ANNUAL INSPECTION REPORT FOR THE YEAR 2013

As per schedule issued by M.I.T-II dated 21.07.2014 undersigned conducted annual inspection of Courts of Judicial District Tharparkar @ Mithi and Judicial District Umerkot.

During the Inspection of Courts at District Mithi, also inspected Taluka Courts at Diplo, Nangar Parkar & Chhachhro where also inspected Judicial Lock-ups and also Hospitals of drought hit areas of Tharparkar to see the plight of drought stricken people at District Hospital Mithi & Chhachhro where ailing children, women and male patients were hospitalized and observed that District Tharparkar is at the brink of starvation with acute water shortage coupled with lack of adequate medical facilities to the drought stricken people which has alarmingly increased neonatal death toll.

I inspected the below mentioned Courts. In the first phase of the inspection:

The Court of District & Sessions Judge, Tharparkar @ Mithi (Mr. Inam-ur-Rehman),
The Court of Additional District & Sessions Judge Tharparkar @ Mithi (Mr. Faheem Ahmed Khan),
The Court of Senior Civil Judge (Mian Fayaz Rabani),
The Court of Judicial Magistrate-I (Mr. Nadeem Zafar Hashmi),
The Court of Judicial Magistrate-II (Rao Mohammad Nadeem),
The Court of Judicial Magistrate Diplo (Mr. Mohammad Shujjat Mirza),
The Court of Judicial Magistrate Nangar Parkar (Mr. Munir Ahmed Khaskheli) and
The Court of Judicial Magistrate Chhachhro (Mr. Khair Mohammad Solangi),

The perusal of case files revealed that no oldest case was pending on the file of any Judicial Officer of District Tharparkar @ Mithi. However, the disposal of the said judicial officers was not up to the mark as such judicial officers were directed to dispose of the cases pending on their file expeditiously. I have also examined the orders and Judgments passed by Judicial Officers, the disposal and also the stage of pending cases and issued directions for concluding the respective proceedings in given span of



time period and such directions were made on the spot duly noted for compliance by the concerned Court. The property rooms were found in accordance with the articles of the property Registers. The accounts registers maintained in each Court were on the proper form. I also visited the District Bar Tharparkar @ Mithi and also arranged the meetings with the litigant public. During the meeting with litigant public at the District Bar Tharparkar @ Mithi, the private Defendants of Suit No.167/2014 pending before the Court of Senior Civil Judge, Mithi, made complaint that learned Senior Civil Judge, has granted Stay order illegally and the Suit filed by the Plaintiff is not maintainable and the said stay order is being extended from time to time till the filing of complaint. This being a judicial matter hence the application/complaint filed by the applicant was referred to the learned District Judge, Tharparkar @ Mithi for taking appropriate action in accordance with law upon which the learned District Judge transferred the said case to the Court of Additional District Judge, for disposal according to law. The Senior Civil Judge Mithi has served at this Station for more than three years. The undersigned also visited the Sub-Jail Tharparkar @ Mithi and inspected each of its cell and inquired from UTPs about the progress of their cases pending in the Courts of Law. The unhygienic and insanitation was also observed and the sub-jail staff was directed to keep and maintain the prisoners in proper condition. Although the Mukhtiarkar incharge of Sub-jail was not present on the spot however necessary instructions were given on the spot and the District Judge was asked to make regular visit of the Sub-jail either himself or through ADJ and one of the Judicial Magistrate be assigned to regularly visit UTPs once in fortnight to ensure that the UTPs are kept properly in the judicial lock-up and are provided admissible facilities under Prison Rules.

After completion of the inspection of Courts and judicial lock-up at Mithi, the Members of the Bar emphasized to view the sufferings of the drought hit area of Mithi, therefore, I also visited the Civil Hospital



Tharparkar @ Mithi. The agonifol plight of the people were seen, where it was observed that the shortage of male and female nursing staff, shortage of medicine, ambulances and the increasing death tool of infants has reached to 400 due to mal-nutrition and insufficiency of medicines and timely care of patients at Hospital. The Doctors were found handling the patients with the available resources however, more beds and space is required for handling the patients. There was a need for separate Orthopaedic & Gynecology ward; also a full time gynecologist is required at DHQ hospital Tharparkar @ Mithi.

I also visited the Court at Diplo & Chhachhro and inspected the judicial lock-ups as well as Hospital at Chhachhro, litigant public was also informed to come-up with their grievance or complaint if any, however no one turned up. The only one accused at Diplo was rotting in sub-jail for want of proceedings u/s 512 Cr.P.C. whereupon the Judicial Magistrate Diplo was directed to expedite the proceedings under intimation to Sessions Judge, Mithi. No old case was pending however, the Judicial Magistrates of Diplo and Chhachhro were directed to dispose of the pending cases expeditiously. A plot of land at Chhachhro admeasuring 02 acres adjacent to present Court Building for the Judicial Complex needs early construction thereon.

During the inspection of the Court of Judicial Magistrate at Nangar Parkar Mr. Munir Ahmed Khaskhely was working as Judicial Magistrate Nangar Parkar, where it was found that the Court was working without the assistance of Public Prosecutor or P.I and one H.C prosecution was found there. During the inspection it revealed that no accounts registers were maintained on proper form even receipt books of fine, copying fee comparing fee, were not maintained. The District Judge was directed to take immediate action into the matter accordingly and learned Judicial Magistrate was also directed to perform Judicial proceedings in accordance with law.



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