

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
SUIT NO.854/2016

Date	Order with signature of Judge
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1. FOR HEARING OF CMA.7301/2018
2. FOR HEARING OF CMA.12558/2018

12.04.2019

Mr. Usman Tufail Sheikh advocate for plaintiff  
Mr. M. Yasin Shahid Bhatti advocate for defendant  
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1. Learned counsel for the plaintiff submits that the present suit is for administration and partition of the suit property, details whereof is mentioned in Para 2 of the plaint, left by the deceased father of the parties.

From the record, it appears that the present suit has been instituted, *inter se*, between the legal heirs of deceased namely; Muhammad Irtaza Khan (died on 28.08.2002) for administration, declaration, partition and mesne profits, left by the said deceased. Since there appears no dispute over the suit property of the instant proceedings and so also upon the legal heirs, there appears no impediment to grant the listed application for preliminary decree. Accordingly, preliminary decree under Order XX Rule 13 of CPC is passed in this matter and Nazir of this Court is appointed as Administrator to take further proceedings as per law. Parties are at liberty to file their claims, if any, before the learned Administrator. The fee of Nazir shall be as per rules. Office is directed to prepare preliminary decree.

2. In view of the above order, learned counsel for the defendant, for the time being does not press this application, which is dismissed as not pressed.

JUDGE