

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
C.P.No.D-2501 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on MA-11218/19
2. For orders on office objection
3. For orders on MA-11219/19
4. For orders on MA-11220/19
5. For hearing of main case.

19.11.2019.

Mr. Muhammad Idrees, advocate for petitioners.

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1. Urgency granted.
2. Overruled.
3. Exemption granted.

4&5 It is the case of the petitioners that they are legal and lawful owners of the subject land which they have inherited from their ancestors. The record of right whereof was allegedly burnt by the provoked mob on account of death of Mohtarma Benazir Bhutto. By submitting so, the petitioners have sought for reconstruction of the record of right with direction to the respondents not to allot the same to anyone else, till disposal of the instant petition.

It is contended by learned counsel for the petitioners that the petitioners are legal and lawful owners of the subject land by way of inheritance; such right is being denied by the respondents by refusing to maintain the record of right. By contending so, he sought for issuance of notice against the respondents.

We have considered the above arguments and perused the record.

If, the petitioners are having feeling that they are entitled to inheritance over the subject land, then such right could only be established on the basis of evidence. No evidence in that respect could be recorded by this Court, in exercise of its constitutional jurisdiction, only to declare the petitioners to be owners of the

subject land by way of inheritance under the pretext that the record of right was burnt. Such burning of record even otherwise, has taken place somewhat 11 years back.

Based upon above discussion, the instant petition is dismissed in limini. The petitioners however, could prove their entitlements by having a recourse under Section 42 of the Specific Reliefs Act, if so are advised.

JUDGE

JUDGE

Ahmed/Pa,