

ORDER SHEET
**HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD**
C.P No.D-1827 of 2021

DATE

ORDER WITH SIGNATURE OF JUDGE

13.04.2022

Mr. Faisal Nadeem Abro, advocate for petitioner

Petitioner has challenged the two orders of Senior Civil Judge and VIth Additional Sessions Judge Hyderabad on the count that the legal heirs of the co-owners, who have expired, have not been impleaded. It appears that on the count of surrendered deed, petitioner is seeking exclusion of those co-sharers. We are not impressed by the statement that they have executed surrendered deed, which is unregistered. Unless they appear before the Court and give a statement on Oath, they (co-owners) cannot be excluded by the petitioner from seeking a declaration with regard to the property in question. No interference is required. The petition is dismissed accordingly alongwith listed applications with cost of Rs.5,000/-.

JUDGE

JUDGE

Sajjad Ali Jessar