

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
H.C.A. No. 79 of 2021

Date	Order With Signature Of Judge
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1. For order on office objection
2. For hg of main case
3. For hg of CMA No.1162/21

19.04.2022.

Mr. Ghulam Murtaza, advocate for appellants.
Mr. Muhammad Arif Shaikh, advocate for respondents.

After arguing the matter at some length and while confronted as to any error or illegality in the impugned order, learned counsel for the appellants could not submit any reasonable explanation, however, submits that pursuant to earlier proceedings in respect of the subject properties the same stood transferred in the name of legal heirs, therefore, there was no reason/ground to file administration suit in respect of such properties which have already stood transferred in the name of legal heirs and were not part of the estate left by deceased father of the parties.

Learned counsel for the respondents disputes such factual position and states that in order to ascertain the actual facts, order for preliminary decree and inquiry has been passed by the learned single Judge, which is unexceptionable, whereas, the appellants can file objections on the Nazir's report, as may be furnished in this regard and can also raise all such grounds before the learned single Judge in the suit for administration.

Accordingly, we do not find any patent illegality/error in the impugned order, which prima facie does not determines the right and title of the parties, whereas, Nazir has been directed to conduct inquiry with regard to properties which are being disputed by the parties. Accordingly, instant High Court Appeal stands disposed of by directing the appellants

to raise all such factual grounds before the learned single Judge by filing appropriate application and in case of any adverse inquiry made by the Nazir pursuant to impugned order, the appellants will be at liberty to also file objections, whereafter, appropriate order will be passed by the learned single Judge.

Instant High Court Appeal stands disposed of in the above terms along with listed application.

JUDGE

JUDGE

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ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-3532 of 2020

Date	Order With Signature Of Judge
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- 1.For order on Misc. No.14646/2020
- 2.For order on Misc. No.14647/2020
- 3.For order on Misc. No.14648/2020
- 4.For hg of main case

05.08.2020.

Mr. Hyder Ali Khan, advocate for petitioner.

1. Granted.
2. Granted subject to all just exceptions.

3&4.