

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

**SIT NO.321/2007**

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Date	Order with signature of Judge
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1. For order on Nazir report dated 09.11.2021.
2. For hearing of CMA No.1462/2021
3. For hearing of CMA No.14042/2019
4. For hearing of CMA No.5062/2021

**10.12.2021**

Sadia Sadaf and Ghazala Arshad, plaintiffs No.6 and 7 respectively.  
Mr. Sajjad Hussain advocate for defendant No.1.  
Mr. Zahir Hussain Shah advocate/one of the legal heirs of defendant No.3.  
Kamran Qadir Shaikh, intervener.

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Mr. Zahir Hussain Shah contends that he has no objection over partition of the property situated at Larkana. Defendant No.1 is in occupation of the property, however, has no objection if any order is passed with regard to partition of that property. Legal heir of defendant No.3 who is also a counsel as well as party in person, contends that he may be allowed to stay in that property and enjoy the same. Accordingly learned Senior Civil Judge Larkana shall ensure he has received possession.

2. This suit is for administration of the properties left by deceased Abdul Karim Shaikh and defendant No.1 is in occupation who has denied possession to other legal heirs. Accordingly, District and Sessions Judge Larkana shall assign any Senior Civil Judge the task to personally visit and ensure that suit property is partitioned; he shall also facilitate all legal heirs to stay/live/enjoy the possession of that property. Accordingly, CMA No.14042/2019 is allowed. Nazir shall send all relevant copies to the learned District Judge.

3. With regard to sale of a portion of the property by one of the legal heirs though that property was attached, that legal heir shall not be entitled to receive his share. Learned Senior Civil Judge shall also examine the veracity of one shop sold out by defendant No.2 and recognition of sale in favour of intervener Kamran Qadir Shaikh, in that case that portion after partition, can be transferred in the name of Kamran Qadir Shaikh.

**J U D G E**

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