

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

High Court Appeal No.17 of 2022

Basit Gazdar
Versus
Mst. Samia Faisal Gazdar and others

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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Hearing case (priority)

1. For orders on CMA No.676/2022 (U/S-151 CPC).
2. For orders on office objection/reply at "A".
3. For hearing of main case.
4. For hearing of CMA No.79/2022 (stay).

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Dated 18.01.2024

Mr. Shamim Ahmed Riazi, Advocate for the Appellant.

Mr. Iftikhar Javed Qazi, Advocate for Respondents No.1 to 3.

Mr. Muneeb Ahmed Dhamrah, Advocate for Respondents No.5to7.

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Appellant has impugned the following order in this Appeal:-

1&7. Nazir through various orders of this Court was directed to administer the properties, and has submitted these reports, taken on record subject to all just exceptions, where exercise of partitioning was contemplated. It appears that minimum size of 500 square yards for one plot and no less than 300 square yards from the other plots is possible, as number of legal heirs exceeds in numbers that portioned plots, Nazir to put the properties to sale through public proclamation and submit his report in 30 days.

In a suit for Administration of the properties, that also involve its partition, the aforesaid order was passed. There is apparently no possibility of any partition, hence it was ordered to be auctioned so that all legal heirs may get their respective shares out of it.

No point has been raised by Mr. Shamim Ahmed Riazi, learned counsel for appellant which could enable us to intervene, hence the process of sale through public auction may continue.

The appeal merits no consideration and is dismissed along with pending applications.

JUDGE

JUDGE