

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

H.C.A. No.193 of 2024

(Mst. Zaib un Nisa & others Vs. Public at large)

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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Present:
Mr. Justice Muhammad Shafi Siddiqui
Justice Ms. Sana Akram Minhas.

Hearing (Priority) Case

1. For orders on Nazir Report dated 23.05.2024.
2. For orders on office objections.
3. For hearing of main case.
4. For orders as to non-prosecution of
CMA No.1144/2024 (U/O XXXII R 1 CPC).

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Dated 27.05.2024

Mr. Muhammad Ali Lakhani, Advocate for the appellants.

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Muhammad Shafi Siddiqui, J.- A letter of administration was filed in respect of nine properties which was granted subject to rules. The appellants in due course to have a letter of administration then requested the Court to keep the property documents (i to iii) as security and as far as Bahria Town properties are concerned, since the title is yet to be executed either to original allottee or to the successors then at least a lien is to be marked by Behria Town confirming a right of all legal heirs and having an interest in the properties to the extent of the principal allottee. The Nazir has enquired from Behria Town who has not only confirmed that the payment has been made by the deceased but also that they could mark a lien on these properties subject to further orders and objections if any from any individual or entity over the property. Order accordingly. The lien will not be lifted without an order of this Court.

2. Let the title documents of first three properties (i to iii) disclosed in the schedule available at page 47 be filed with the Nazir as security of not only the referred three properties but also in respect of rest of the properties as well. In addition to it, Behria Town shall mark a lien in respect of their properties (iv to ix) subject to further orders of this Court. With this understanding, the appeal is disposed of alongwith pending application and a letter of administration be issued in compliance of the order.

JUDGE

JUDGE

Asif