

Order Sheet
IN THE HIGH COURT OF SINDH,
BENCH AT SUKKUR

Civil Revision No.S-141 of 2022
Civil Misc. Appeal No.S-07 of 2016
Civil Revision No.S-21 of 2019

Date of hearing	Order with signature of Judge.
-----------------	--------------------------------

Hearing of Case

- 1.For hearing of main case
- 2.For hearing of CMA 1107/2022

30-09-2024

Syed Jaffar Ali Shah, Advocate for applicants along with Abid Ali Abro, attorney.

Mr. Mukesh Kumar G. Karara, Advocate for private respondents.

Mr. Ahmed Ali Shahani, Assistant A.G Sindh a/w Abdul Majeed, National Savings Centre-IV, Sukkur and Fahad Zafar, National Savings Centre-III, Sukkur.

After hearing the matters at some length, the main point arisen is as to whether deceased Ghulam Asghar renounced his earlier Sunni sect and later on adopted Shia sect or not. As per claim of brothers and sisters of the deceased, the deceased did not change his sect, while claim of wife based on certain documents is that the deceased during his life time made the declaration that he belongs to Shia sect. Since as yet, no determination on the said point has come by any trial Court, and this Court has been informed that Civil Suit No.13 of 2021 (New No.97 of 2023) is pending before the Court of Senior Civil Judge-II, Khairpur where such an issue is being considered, both the sides agree for adjourning these matters *sine die* till finding of the above referred Court comes, for which directions are issued to the trial Court to expeditiously dispose of the said Civil Suit after framing the issues and recording of evidence in accordance with law, not later than four months from the date of receipt of copy of this order.

Today, statements have been filed from the National Savings Centres- III & IV, Sukkur to show that total principal amount of Rs.25,00,000/- are lying with National Savings Centre-III, Sukkur and principal amount of Rs.30,00,000/- with National Savings Centre-IV,

Sukkur. Officers of NSC-III & IV, Sukkur, those in attendance state that after death of deceased, no interest has been paid to either party. Since matter with regard to Benami holding of these Saving Certificates, which is subject matter of Civil Revision No.S-141 of 2022 is decreed in widow's favour as well as appeal against the said judgment and decree is also dismissed and Revision against the concurrent findings is pending before this Court. In the given circumstances, said Revision Application No.S-141 of 2022 is also adjourned *sine die*, however till final judgment comes from the Court in Khairpur, and all these three matters are finally heard and decided by this Court, interest accruing on total number Saving Certificates worth Rs.55,00,000/- be paid to the widow Mst. Khadija with arrears thereof too within a period of two weeks, so also future interest be paid to her regularly and such compliance report be furnished to this Court.

These matters are thus adjourned *sine die*. However, trial Court at Khairpur to not to be prejudiced by the findings given in the Administration Case No.115 of 2015 through order dated 08.11.2016 as well as by the Appellate Court in Civil Appeal No.08 of 2018.

Copy of this order be provided to AAG for compliance. ***Office to place a signed copy of this order in captioned connected matters.***

JUDGE