ORDER SHEET IN THE HIGH COURT OF SINDH AT KARACHI

CP NO.D-3240/2024

Date	Order with signature of Judge

Order as to maintainability of petition.

15.08.2024

Petitioner present.

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Heard petitioner in person.

2. Admittedly, the issue of bequeath in favor of the petitioner's son, Hemat Kumar, by the petitioner's father is currently sub judice in Civil Revision No. 237/2019. According to the petitioner, his son initially filed a civil suit in the Hyderabad District, which was decreed in his favor. However, other relatives, claiming to be legal heirs, subsequently filed an appeal, and in that appeal, the judgment and decree of the trial court were reversed. Consequently, the petitioner's son filed a revision, which is still pending adjudication before this Court. Similarly, the petitioner's son also filed Succession Petition No.1108/2022 for a letter of probate, which was granted by the 8th Additional Sessions Judge, Karachi East, by order dated 16.08.2023. However, an application under Section 12(2) CPC was later submitted, leading to the suspension of that order by a subsequent order dated 23.05.2024.

3. The petitioner has now filed this petition, arguing on the point of jurisdiction. According to him, the District Court lacked jurisdiction, and even the High Court has no jurisdiction. It is notable that the petitioner and his son were content with the orders when they were in their favor, but once those orders were suspended and reversed, the petitioner became aggrieved and is now contesting the jurisdiction of the courts.

4. Without touching the merits of the case, and given that the matter is sub judice in a revision where the petitioner is also a respondent, the present petition is found to be non-maintainable and is therefore dismissed.

JUDGE

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