

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

M.A. No.87 of 2022

DATE	ORDER WITH SIGNATURE(S) OF JUDGE(S)
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FOR ORDER AS TO MAINTAINABILITY

25.3.2025

Mr. M. Javed, advocate for appellant

Mr. Ziauddin Junejo, Addl. A.G.

Learned counsel appearing on behalf of appellant has impugned the order dated 18.7.2022 passed in SMA No.212/2020 on the CMA No.158/2022. Brief facts are as follows.

The petitioner filed SMA No.212/2020 and the same was granted vide order dated 11.9.2020. Thereafter Mental Health Petition No.42/2021 was filed by the petitioner in respect of her son and the same was allowed by order dated 16.3.2022 in which the petitioner was appointed as the Guardian of the person and Manager of the Property of Brian son of David. Thereafter, an application in the abovementioned serial No.5 was filed before the learned District Judge, Karachi South in SMA No.212/2020 for withdrawal of the share of the legal heir namely Brian to the amount of Rs.215,500/-, the amount as stated is lying with the Nazir of this Court, the impugned order has dismissed the said application.

I have heard learned counsel and have examined the impugned order. It is apparent that on 16.3.2022 the petitioner was appointed the guardian of the person and Manager of the Property and therefore, there was no impediment in granting of the said application in light of what has been held above, the impugned order is set aside in the application bearing CMA No.158/2022 is allowed as prayed. Disposed of in the above terms.

Judge