

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD

R.A No.155 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
-------------	--------------------------------------

1. For Katcha Peshi.
2. For orders on C.M.A 1859/16

14.11.2016.

Mr. Rao Faisal Ali, Advocate for applicant.

Mr. Muhammad Hashim Memon, Advocate for respondents No.1
& 2.

Mr. Allah Bachayo Soomro, A.A.G for respondents No.3 to 5.

-:-:-

Today, Mr. Muhammad Hashim Memon, the learned Counsel for respondents No.1 & 2 has informed that Raja Abdul Ghani s/o Raja Karamillahi has passed away and therefore, the main controversy in the matter relating to the inheritance of share of Mst. Rukhsana, who was unmarried daughter of deceased Raja Abdul Ghani, has been settled, though both the Courts below have handed down decision against the applicant because under the Islamic Law it is the father who can inherit the property of his unmarried daughter and not the brothers, however, now applicant Raja Ishtiaque Ali and Muzaffar, the sons of Raja Abdul Ghani, the respondent No.1 in terms of Sharia Law will be entitled to the inheritance/estate left by the deceased Raja Abdul Ghani at the time of his death.

On a query that no death certificate has been placed on record, the learned Counsel for the respondents submits that he himself has attended funeral of the deceased and he is making this statement at bar which has not been disputed by applicant's Counsel, therefore, a consent order with regard to above factual position can be passed.

Consequently, this Revision Application is disposed of by consent in view of the above facts and on the ground that the issue of inheritance will now be decided in accordance with Islamic Law and applicant and respondent No.2 being surviving legal heirs will inherit the inheritance/estate left by the above named deceased Raja Abdul Ghani at the time of his death.

JUDGE

