

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

S.M.A. No.67 of 2014

Date

Order with signature of Judge

1.For orders on CMA No.649/2018.

2.For orders on CMA No.650/2018.

22.03.2018

Mr. Mudassir Hussain Joyia, Advocate a/w
Petitioner Wali Muhammad.

Legal Heirs Mst. Salma Bano, Ms. Hina,
Ms. Halima and Ms. Kiran are also present.

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1. Urgency granted.
2. The petitioner Wali Muhammad is present with his counsel. The other legal heirs Mst. Salma Bano, Ms. Hina, Ms. Halima and Ms. Kiran are also present. The letter of administration has already been issued in favour of the petitioner for three properties. Now the petitioner has filed this application (CMA No.650/2018) in which it is stated that the mutation is not possible for the properties mentioned in the schedule, therefore, the legal heirs have mutually decided to relinquish their shares in all three properties in favour of their mother Mst. Salma Bano. On 20.06.2014, an order was passed by the learned Judge of this court to deposit the original title documents with the Nazir of this court. Alongwith the application, the legal heirs have also attached their affidavits to show their

agreement that they are ready to relinquish their shares in favour of their real mother. Alongwith the application, they have also attached the drafts of deeds of relinquishment. The endorsement of Nazir dated 30.06.2014 is available at the reverse page of the order dated 20.06.2014 which shows that title documents of the immovable properties have been deposited by the petitioner as per schedule. Nazir is directed to examine the deeds of relinquishment and if everything is found in order, he will also depute some officer from his office for production of original title documents before the concerned Sub-Registrar for the purposes of registration of deeds of relinquishment in favour of Mst. Salma Bano. Nazir's fee shall be Rs.15,000/- which will be paid by the petitioner in advance. The petitioner will manage the date and time to appear before the concerned Sub-Registrar and will intimate the Nazir in advance so that the title documents may be produced before the concerned Sub-Registrar. After showing the original title documents, the Nazir shall retain the same in his custody till further orders of this court. Application is disposed of.

Judge

Asif