

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P.No.D-4353 of 2018

Date	Order with signature of Judge
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Present
Mr.Justice Muhammad Ali Mazhar
Mr.Justice Agha Faisal

Mst.Sajida Parveenv/s.....Incharge
Development Cell,
& another

For hearing of main case.

23-10-2018

Mr.Ahmed Ali Shah, Advocate for the Petitioner.

Petitioner Mst.Sajida Parveen is also present.

Mr.Miran Muhammad Shah, AAG

Mr.Muhammad Sabir, Law Officer and Mr.Gangadas, Incharge
Development Cell, Pakistan Steel Mills are present in person.

Muhammad Ali Mazhar, J: On notice Mr.Muhammad Sabir, Law
Officer and Mr.Gangadas, Incharge Development Cell, Pakistan Steel Mills
are present.

2. Through this petition the petitioner has challenged the order dated
23.3.2018 passed by learned District and Sessions Judge Karachi South in
SMA No.33/2014. The order reflects that the petitioner had filed
application under Section 151 CPC for directions to the Incharge
Development Cell, Pakistan Steel, Bin Qasim, Karachi to transfer the
property of the deceased viz plot Nos.C-142 and C-186, admeasuring 500
sq.yards, Gulshan-e-Hadeed, Phase-1 & 11 Ext. Bin Qasim Karachi in
favour of the purchasers. The learned District and Sessions Judge observed
that the letter of administration in respect of property of deceased
Inayatullah Qadri had been granted by him and the restriction for the
purpose of sale of property was also withdrawn and permission also
extended in terms of Section 307 on the application of the petitioner. No

detail of the purchasers of the property is on record, nor the sale transaction of properties has been finalized through this court. After showing such details in the order the learned District and Sessions Judge observed that no direction for transfer of properties in favour of purchasers can be issued, however, the Incharge, Development Cell, Pakistan Steel, Bin Qasim, Karachi is required to proceed the matter in accordance with law.

3. Learned counsel for the petitioner argued that earlier an order was passed on 07.2.2015 in the same SMA when permission to sell was granted to the petitioner and both the properties had already been mutated in the names of all legal heirs. The officials of Pakistan Steel Mills are present in court. They admit that the properties have been mutated in the names of all legal heirs of deceased Inayatullah Qadri. They further submit that there is no issue to record the transaction of the sale, but they insisted that either all the legal heirs of the deceased Inayatullah Qadri may appear for verification of transaction/sale of the properties in favour of the purchasers or the petitioner may appear along with power of attorney of all legal heirs whose names are reflected in the mutation order.

4. After arguing at some length, the petitioner who is also present in court agrees that she will obtain power of attorney of all the legal heirs and produce all relevant documents before the Incharge Development Cell, Pakistan Steel Mills for further proceedings. Both the officials present in court submit that as and when the power of attorney will be produced they shall act strictly in accordance with law. The petition is disposed of accordingly.

Judge

Judge

