

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

C.P.No.D-48 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE
1.	For orders on office objection
2.	For orders on M.A No.181/2019
3.	For hearing of main case

04.11.2019.

Mr. Abdul Khaliq Mughal, advocate for petitioner  
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1to3. The petitioner by way of instant constitutional petition has sought for direction against Mukhtiarkar Latifabad to enter her name in record of rights in respect of Survey No.277 of Deh Sari, as one of legal heirs of her mother/brother/sister as per judgment and decree dated 11.12.2017 passed by learned II<sup>nd</sup> Senior Civil Judge, Hyderabad.

On being asked, why the petitioner has not filed an execution application for implementation of judgment and decree, which she has already been able to obtain in her favour from civil Court having jurisdiction? It was stated by learned counsel for the petitioner that it was in respect of the property other than the one which is mentioned in the instant petition. If the petitioner carry a feeling that she is entitled to have a share in property left by her mother/brother/sister, which is disclosed in the instant constitution petition, then she has to prove such entitlement by filing another suit simply for the reason that such controversy being factual in its nature could in no case be resolved by this Court in exercise of its constitutional jurisdiction.

The instant petition being misconceived is dismissed in limine alongwith listed application.

JUDGE

JUDGE