

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Suit No. 240 of 1971

| | |
|------|-------------------------------|
| Date | Order with signature of Judge |
|------|-------------------------------|

For hearing of CMA No.14875/2019

24.12.2019

Khawaja Shams ul Islam advocate for the plaintiffs.

Mr. Abid Hussain advocate holding brief for Mr. Shahab Sarki
advocate for the Interveners (CMA No.16697/2019)

Mr. Taha Soomro advocate holding brief for Mr. Shahab Usto
advocate for the Mohatta Palace Museum.

Mr. Jawad Dero, Addl. A.G.

Akbar Khushik, Coordinator, Mohatta Palace Museum.

Zahid Abbas Akhund, Deputy Director, Culture, Tourism &
Antiquities Department, Government of Sindh.

Initially, this suit for administration was filed by Hussain Waliji in 1971. The matter relates to the estate left by Mohtarma Fatima Jinnah. The gist of properties are mentioned in paragraph-5 and Schedule-A of the plaint which includes Mohatta Palace situated at Clifton, Karachi. After death of original plaintiffs, his son Amir Ali was impleaded as plaintiff and after his death, legal heirs of Amir Ali were impleaded including Mr. Nazish, Ms. Shehnila and Ms. Erum. During pendency of this suit, legal heir Mr. Nazish has moved an application under Section 151 CPC for permission to hold marriage ceremony of his daughter in Mohatta Palace. Notice of this application was issued to the Defendants in the meanwhile certain directions were also given to the plaintiffs to apply in writing for the permission and vide communication dated 16.12.2019 the Coordinator, Mohatta Palace informed him that

wedding ceremonies or pre-wedding functions are banned at the Mohatta Palace, therefore, request was regretted. Learned counsel submits that now the plaintiff is not interested to arrange marriage ceremony but he wants to hold only a reception with light music arrangement. Akbar Khushik, Coordinator, Mohatta Palace is present. He submits that Museum is allowed to use on contribution of donation for corporate functions. The plaintiff may apply for the permission on the prescribed format which is already available on the website. It is expected that whenever an application is filed by the plaintiff for holding only a reception and not the marriage ceremony, the competent authority shall consider the application keeping in mind that the plaintiff is one of the legal heirs of late Mohtarma Fatima Jinnah who was the original owner of Mohatta Palace. The application is disposed of in the above terms.

Adjourned to 17.01.2020.

JUDGE

Aadil Arab

