

*Order Sheet*  
IN THE HIGH COURT OF SINDH AT KARACHI  
**Miscellaneous Appeal No. 43 of 2019**

Date	Order with Signature of Judge
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For orders on office objections as at "A" :  
For hearing of CMA No.4230/2019 (Stay) :  
For hearing of main case :

**10.02.2022** :

Haji Abdul Rehman, advocate for the appellant.  
Syed Rizwan Haider Jafri, advocate for respondent No.1.

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**NADEEM AKHTAR, J.** – Through this appeal, the appellant has impugned the order passed by the learned trial Court on 06.07.2019 in S.M.A. No.484/2018, whereby the said S.M.A. filed by respondent No.1 was allowed. The aforesaid petition was filed by respondent No.1 for the grant of Letters of Administration in her name in respect of the immovable properties viz. Houses / Quarters No. A-666 and A-667, measuring 80 sq. yds. each, Muhammadi Dera, Malir City, Karachi, left by Syed Muhammad Haider Kazmi (**'the deceased'**).

2. Learned counsel for the appellant concedes that the appellant is not the legal heir of the deceased nor did he file any objections or claim in respect of the subject properties before the learned trial Court. He submits that the appellant is aggrieved by the impugned order as the subject properties were gifted by the deceased to his (appellant's) father for establishing an imambargah. However, he has not been able to produce any document in support of the above contention. According to him, the alleged gift was oral. He concedes that the appellant and/or his father never filed any Suit for declaration in this regard. In view of the above admitted position, the appellant has no *locus standi* to question the impugned order and as such the present appeal is not maintainable. Accordingly, the appeal and listed application are dismissed with costs of Rs.10,000.00 (Rupees ten thousand only) to be deposited by the appellant in the Sindh High Court Clinic within fifteen (15) days.

Let the R&P of SMA No.484/2018 (Mst. Shahida Parveen V/S Mst. Aftab Rani and others) be returned forthwith to the learned trial Court.

J U D G E