

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

**SMA NO.467/2021**

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Date

Order with signature of Judge  
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**16.11.2021**

Mr. Naeem Akhtar Khan advocate

Mr. Fazal Haq Khan advocate

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Learned counsel for applicant/objector files application under order I rule 10 CPC, taken on record.

Heard and perused the record.

Instant SMA is partly allowed with consent however since share of wife is disputed as there is another claimant namely Mst. Shazia Javed who claims to be the wife; whereas her status as wife is disputed by the present applicant on the plea that she is a divorcee. This issue cannot be resolved in present SMA which is summary in nature. Accordingly, partly SMA is allowed. Half of the shares of wives shall be withheld by the Nazir of this court, however rest of the legal heirs are entitled to receive their share hence succession certificate and letter of administration shall be issued.

With regard to claimant wife, parties shall be at liberty to approach civil court.

**J U D G E**

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