## ORDER SHEET IN THE HIGH COURT OF SINDH AT KARACHI

## SUIT NO.218/2020

Date	Order with signature of Judge

1. For hearing of CMA No.10174/2021

2. For framing of issues/evidence of parties.

## 09.12.2021

Mr. Shehzad Mehmood advocate. Mr. Mehmood Khan Yousufi advocate for KDA Defendants Mustafa Ali Hassan and Mujtaba Ali Hassan present.

Heard parties on Application under order VII rule 11 CP.

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It is pertinent to mention that parties should not be knocked out on technicalities. Here proposed issues have been submitted by plaintiff, written statement has come on record, parties are agreed for framing of issues. Accordingly application under order VII rule 11 CPC is dismissed.

Accordingly, following issues are framed.

- 1. Whether suit is barred by law?
- 2. Whether the plaintiffs are legal heirs of the deceased Jamil Ahmed son of Abdul Ghafoor?
- 3. Whether the plaintiffs being legal heirs of deceased Jamil Ahmed are lawful owners of the property bearing No. A-4, Block-J, North Nazimabad, Karachi admeasuring 200 sq. yards on the basis of Sale Deed registered on 11<sup>th</sup> December, 1974? If yes, what is its effect?
- 4. Whether registered deed dated 11<sup>th</sup> December 1974 is result of fraud and having no legal sanctity?
- 5. Whether the Revocation of General Power of Attorney as well as Declaration of Confirmation of oral Gift both dated 2<sup>nd</sup> September, 2015 are forged and fabricated having been executed and registered

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behind the back of the deceased Jamil Ahmed and the plaintiffs keeping them in complete darkness? If yes, what is its effect?

6. What should the decree be?

Mr. Dilawar Hussain advocate is appointed commissioner to record evidence of the parties with a fee of Rs.25,000/- per witness with direction to return the commission within six months.

JUDGE

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