

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

S.M.A. No.278 of 2020

Date	Order with signature of Judge
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For orders on CMA 645/22

Dated: 15.03.2022

Mr. Ch. M. Saeed-uz-Zaman for petitioner.

Urgency granted.

The only property involved in this succession petition is described in paragraph 7 of the petition which is Plot No.D-8, measuring 10 acres situated in Hattar Industrial Estate, Phase-V, Tehsil Hari Pur, District Abbottabad. However, record discloses that this property was allegedly leased by the government of NWFP in favour of M/s Sultana Textile Mills Ltd. Learned counsel for petitioner submits that though it was in the name of Sultana Textile Mills Ltd. but the company was never registered with SECP and for all intent and purposes it was owned and funded by the deceased. These questions of facts in succession petition would not lie. The legal heirs of deceased may seek declaration in this regard, if they so desire before a proper form available to them under the law. On this proposition/query, learned counsel for petitioner does not press this succession petition and seeks time to avail remedy available to the legal heirs under the law.

The succession petition is accordingly dismissed as not pressed in view of above.

Judge