

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Suit No.1492 of 2009

Suit No.1259 of 2011

Order with signature of Judge

1. For hearing of CMA No.9585/2009.
2. For hearing of CMA No.9586/2009.
3. For hearing of CMA No.9587/2009.
4. For hearing of CMA No.447/2011.

13.02.2014.

Mr. Mansoorul Arfin, advocate for the Plaintiff.

Mr. Khurram Rasheed, advocate for the Defendant No.2.

M/s. Arshad Tayyabali and Aimal Kanshi advocates for the
Defendants No.2 and 3 in Suit No.1259/2011.

The instant Suit and Suit No.1259 of 2011, Suit No.1450/2011
Suit No.1123 of 2012 are between the same Parties. Out of the said four
Suits, three Suits have been filed by Mrs. Samia Aamir in which she is
the Plaintiff and in the 4th Suit of the Defendant is namely Imra Waquar
Imran. The controversy in all these four Suits arising after the death of
the parents of the Plaintiff and the Defendants in these Suits. The
Plaintiff claims that certain moveable and immoveable properties left by
the Deceased father and the mother, which were supposed to be the
Estate of the Deceased parents have allegedly been transferred and/or
removed by other legal heirs of the Deceased parents has deprived hereof
her inheritance. However, on the other hand the Defendants' stand is
that the title documents, produced by the Plaintiff herself and stated in
the Memo of Complaint, shows that the said properties already belong to
them and the said properties were not in the name of Deceased parents.
Be that as it may, the issue of inheritance has been raised by the Plaintiff
in the above three Suits and the fourth Suit by one of the Defendants is

in fact defence of the said Defendant as he claims ownership in his own right. In all the four Suits conveniently common Issues can be framed to settle the dispute that whatever the Suit Properties were left by the Deceased parents of the Parties and the same are owned by contesting Defendants in their own right. Therefore, the Plaintiff and the Defendants are directed to examine all the four Suits and try to submit consolidated Issues with respect to each and every moveable and immoveable properties involved in these four Suits to claim their rights in respect of such properties. For the purposes of possible consolidated Issues, this matter is adjourned to 12.03.2014.

Office is directed to fix all the four Suits mentioned above in Court on the same date. Suit No.1450/2011 and Suit No.1123 of 2012 are not fixed today. They may also be listed on the next date of hearing.

It is clarified that all the four Suits are ordered to be placed together only in view of the possible consolidation of the cases. In case the Parties come to the conclusion that these cases are not going to be consolidated then, the same should be fixed separately on the next date.

JUDGE

MUBASHIR