



OFFICE OF THE OMBUDSPERSON (MOHTASIB) PUNJAB  
197 Abu Bakar Block Garden Town, Lahore. Ph: 042-99233348-49-50

**BEFORE THE OMBUDSPERSON, PUNJAB**

Complaint No. WOP-18-1495/2022

Complaint titled

Shaista Aslam

Vs.

Naeem Etc.

**DECISION:**

Mst. Shaista Aslam, complainant has approached this office by moving a complaint through power of attorney/wakalat nama with the name of Rana Naveed Ashiq Advocate, contending therein that her husband Muhammad Aslam S/o Chanan Din Sheikh purchased a house situated at New Abadi, Raheem Park, Circle Kot Khawaja Saeed Lahore, Property No. NE-XII-15-S-63/A through registered sale deed No. 1489, Bahi No. 1, Jild No. 74, dated 11.03.2003 in office of sub-registrar, Ravi Town, Lahore.

The respondents was real brother and sisters of the husband of the complainant who have no house for residency and in 2004 the husband of the complainant has allowed his dear ones to use the lower portion of his house for some time and will leave the house when they would be able to buy their own house. She further alleged that with the passage of time, the respondents





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started enhancing their possession illegally towards the lower portion of the house and finally the complainant and her husband was restricted to the extent of one room. The complainant along with her husband requested the respondents to leave the house but the respondents refused to leave the house and threatened the complainant that they will usurp the property of the complainant's husband.

Complainant's husband was died on 01.02.2020 and after his death the complainant and her children were declared the legal heirs of deceased husband through a decree of declaration of competent court of jurisdiction on 03.11.2021. She further attached PT-I form to prove her ownership.

Complainant is an overseas Pakistani having inherited property from her late husband in Pakistan, which had been given to respondents, her husband's real brothers and sisters, for living without any penny of rent, who are now depriving her illegally from inherited property. Complainant asked several times to respondents to vacate her property but they are denying and threatening her, hence this complaint.

Respondents were summoned, they appeared and gave their statement that the disputed property is in a possession of Sofia Kaleem. On the next date of hearing Sofia Kaleem appeared and has produced a copy of suit filed on 28.09.2022 for specific performance of agreement to sell dated 25.04.2017 with permanent injunction and consequential relief. The respondent namely Sofia Kaleem claimed that the disputed property was sold out to her against the





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consideration of 38,00,000/- out of which 28,00,000/- was paid to the complainant's husband at the time of execution of agreement to sell dated 01.02.2016 and it was settled between the parties in presence of witnesses that the remaining amount of Rs. 10,00,000/- will be paid within 3 months and the husband of the complainant will be bound to transfer the property in question in favor of the respondent. Later on the property was handed over to the respondent and she installed the electricity connection in the name of Muhammad Waseem Kaleem. That on 19.05.2017 the respondent paid Rs. 9,50,000/- to the late husband of the complainant in presence of witnesses and the late husband of the complainant promised with the respondent that he will registered sale deed in favor of respondent on his return from Germany after payment of remaining amount that is 50 thousand rupees. Due to close relative, the respondent trusted upon the late husband of the complainant. But on 01.02.2020 it came into knowledge that the complainant's husband has died. After the demise of complainant's husband the respondent namely Sofia Kaleem asked the complainant to transfer the suit property in favor of respondent but the complainant said that she is not in a position to transfer the suit property and requested for some more time which was accepted by the respondent.

In view of all, this complaint is not maintainable because prima facie it is a matter of indepth inquiry and recording of evidence in order to prove the disputed matter which does not fall within the ambit of this office. Moreover, various kinds of litigation that is suit for specific performance is pending before Civil Court and the declaration is also challenged in Civil Court. Concisely, a sale





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deed in favor of respondent by complainant's late husband is also available on record. So, this complaint is Disposed of accordingly.

Announced in open court.

(NABILA KHAN)  
OMBUDSPERSON, PUNJAB

Announced Dated: 06.12.2022

Certified that this decision consists of 04 pages which has been typed on my dictation, each page has been read corrected and signed by me.

(NABILA KHAN)  
OMBUDSPERSON, PUNJAB

**Copy for Information to:-**

1. The Deputy Commissioner, Lahore.
2. Mst. Shaista Aslam, resident of House No. 2, Baddar Street 41, Takiya Sadiq Shah Chah Meeran, Tehsil City District Lahore.
3. Naeem etc. resident of House No. 63-a, Street No. 15, Nizamabad Gujjarpura, Lahore.