

Supreme Court upholds prior property rights

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The Supreme Court of Pakistan has ruled that a subsequent purchaser of property cannot claim legal protection unless they prove good faith, proper due diligence, and lack of knowledge regarding any prior agreement related to the property.

The judgment was issued by a three-member bench comprising Justice Shahid Waheed, Justice Musarrat Hilali, and Justice Muhammad Shafi Siddiqui in a series of connected civil appeals. The court upheld the decision of the Lahore High Court and dismissed all appeals in the property dispute case. According to the judgment, the original owners admitted the existence of the initial agreement to sell the disputed property. However, the subsequent purchasers failed to prove that they had entered the transaction in good faith or without prior knowledge of the earlier agreement or dispute.

The court observed that under the law, a subsequent purchaser carries the burden of proving bona fide intent and showing that proper inquiry into the property title was conducted before completing the transaction. The Supreme Court further clarified that once the rights of

the original purchaser are legally recognized, a later transferee cannot obtain a superior legal title through a non-transparent transfer. The court declared the Lahore High Court's judgment lawful and dismissed all connected appeals.

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