



the properties, but there was no progress in the matter, meanwhile one sale deed was presented before the concerned Registrar, so in order to verify the current situation the Sub-Registrar, Saddar Town-II, Karachi written a letter to Mazhar Hussain Alvi, Inspector Legal, FIA on 23.5.2006 for some clarification and copy of letter was also endorsed to the Official Assignee. The Official Assignee had also sent letter to the Inspector Legal FIA for intimating present status of the properties within 10 days. After receiving these letters Mazhar Hussain Alvi, Inspector Legal FIA vide letter dated 24.5.2016 informed the then Official Assignee in relation to the present J.M. No.6/1990 that the name of Mst.Razia Khatoon w/o Syed Mansoor Ali is not mentioned in original documents as well as Search Report dated 24.5.2006, therefore, the information submitted by Inspector M.A. Tatari is not correct, but based on presumption. In the concluding paragraph he conveyed his no objection if permission is accorded in respect of transfer of subject property.

3. The learned Official Assignee has also submitted a copy of letter written by Sub-Registrar, Central Record City Court, Karachi on 21.3.2016 in which the Sub-Registrar disclosed that according to Search Report the sub-lease was executed by M/s.Awazi Associates Pvt. Ltd. in favour of Mrs.Razia Khatoon w/o Mohammad Ahmed which was registered in the office of Sub-Registrar "T" Div. I Karachi on 24.6.1990 (M.F. Roll No.1264 dated 09.07.1990).

4. Learned counsel argued that the present applicant Ashfaq Ahmed Ch. has purchased the subject property through the attorney of Razia Khatoon and sale deed was

presented for registration on 7.6.2006, due to this anomaly the Sub-Registrar adjourned the registration. He has also attached a copy of receipt dated 2.6.2006 with the application.

5. At this juncture, the learned Official Assignee further pointed out a letter dated 17.3.2015 communicated by Microfiliming Officer and Photo Registrar, Karachi to the Official Assignee in which too he confirmed that the sub-lease deed executed by M/s.Awazi Associate (Private) Limited in favour of Mrs.Razia Khatoon wife of Mohammad Ahmed in respect of Office bearing No.9/20, 9<sup>th</sup> Floor constructed on Plot No.11, Sheet No.SR/7 situated at Arkay Square (Extension) Frere Road, Shahra-e-Liaquat Serai Quarters Karachi was registered on 24.6.1990.

6. In concluding paragraph of the reply submitted by the learned Official Assignee he stated that enquiry was allowed by this court on 9.3.1999 upon the Reference of Official Assignee which was previously based upon the initiative of the Inspector of FIA who despite passing 18 years failed to substantiate his allegation against the property of some stranger rather the other official of FIA namely, Mazhar Hussain Alvi vide his letter dated 24.5.2006 confirmed the aspect that the subject property has no concern with the properties of M/s.Ali International and others under liquidation. Learned Official Assignee has endorsed his no objection if the attachment of the property i.e. Office No.9/20, situated at Arkay Square (Extension) Shahrah-e-Liaquat, Serai Quarters, Karachi is removed in favour of owner Razia Khatoon w/o Muhammad Ahmed. The earlier Official

Assignee in his reply dated 11.4.2016 also clearly stated that the property in question has no concern with M/s.Ali International and others in liquidation.

7. After going through relevant documents and the reply of Official Assignee, I reached to the definite conclusion that there is nothing on record to continue the attachment of the property in question. On 2.5.2017 Mr.Nabeel Ahmed, Sub-Inspector FIA was also present, who stated before this court that despite making hectic search he could not find out any record. However, the earlier correspondence of the FIA unequivocally show that neither any inquiry was conducted nor the title of Razia Khatoon was found defective. It appears that due to some misunderstanding as according to FIA letter he described the name of Mrs.Razia Khatoon wife of Syed Mansoor Ali instead of Mrs.Razia Khan w/o Mohammad Ahmed in whose favour sub-lease was executed.

8. In view of the above, the application is allowed and the caution marked against the property in question is removed. The Registrar may act in accordance with law.

Judge