

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Suit No.926 of 2013

Date	Order with signature of Judge
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- 1.For orders on CMA No.13850/2017
- 2.For orders on CMA No.13851/2017
- 3.For orders on CMA No.13852/2017

17.10.2017

Mr.Muhammad Rashid, Advocate for the Plaintiffs.
Mr.Hafiz Qadri, Advocate for the Defendants

Plaintiff Nos.1 to 4 and defendant Nos.1 to 4 are also present.
Nazir of this court is also present.

1. Urgent application filed by the plaintiffs is granted.
2. This is a suit for administration, partition, possession of inherited properties, recovery and distribution of shares. The plaintiffs and defendants are sons and daughters of deceased Muhammad Ishaque Siddiqui who died on 10.1.2011 at Karachi. According to the parties the deceased have left some properties which are more particularly described in paragraph 6 of the plaint. During pendency of this suit some proceedings were conducted for auction and the Auction Purchaser Muhammad Akbar son of Shaikh Muhammad Amanullah deposited 25% of the bid price, however, the Nazir has submitted his report in court today which shows that the amount was refunded back to the Auction Purchaser Muhammad Akbar. At present there is no Auction Purchaser of the properties on record. The Nazir report further submits that the documents of Bungalow No.B-138, Block-13-D, Gulshan-e-Iqbal, Karachi and plot No.3/449, Liaquatabad, Karachi are lying with the Nazir of this court. The Nazir also mentioned that one more plot No.3/466, Liaquatabad, Karachi, though this property is part of preliminary decree but the title

documents of this property have not been deposited by the parties with the Nazir. In the same report the Nazir has further submits that as far as rent of the subject properties are concerned Rs.419,500/- have been collected from the tenants in compliance of the order dated 28.1.2014 and the same is lying with the Nazir. It is further submitted by the Nazir in his report that the Auction Purchaser has filed application i.e. CMA No.13971/2015, which was allowed on 17.2.2016 and in compliance thereof the amount was refunded back to the Auction Purchaser. The Nazir report is taken on record.

Though the preliminary decree has been passed but no further progress has been made out in this case. Now the parties have filed an application (CMA No.13852/2017) under Order 23 Rule 3 CPC. All the plaintiffs and defendants are present in court. They admit that they have signed the compromise application to resolve the dispute amicably. The parties have also filed their affidavits of no objection in support of compromise application duly verified by the ISMS Department of this court. In view of the above, the compromise is recorded. The suit is decreed accordingly. All pending applications are also disposed of.

Judge

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