

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

Suit No.90 of 1989

| Date | Order with signature of Judge |
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- 1.For orders on CMA No.14419/2017.
- 2.For orders on CMA No.14421/2017.
- 3.For orders on CMA No.14420/2017.
- 4.For orders on CMA No.14422/2017.

23.10.2017

Syed Zarar Ali, Attorney of Plaintiff present.
Syed Abdul Mateen, Attorney of
Defendant No.4 present.
Mr. S.M Ahsan, Advocate for Defendant No.2.

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1&3. Urgency granted.

2&4. Vide order dated 13.09.2017, the Official Assignee was appointed as receiver in the matter to take over the properties and the business whatsoever the same is alongwith the accounts as may be made available and once the properties are taken over the same be valued for sale. Against this order, the plaintiff filed H.C.A. No.358/2017 which was dismissed vide order dated 28.09.2017. Against the order passed in the H.C.A., the plaintiff has also approached hon'ble Supreme Court in CPLA No.554-K/2017 and he submits that due to non-availability of the bench the matter could not be fixed at Karachi Registry. Again on 16.10.2017, the learned single Judge directed the parties to comply with the orders and the Official Assignee was directed to proceed in pursuance of such directions

and take over the possession of the same with the assistance of police, if required. The plaintiff has moved this urgent application alongwith CMA No.14421/2017 with the request that the operation of the order dated 13.09.2017 may be suspended till disposal of their appeal in Supreme Court. The defendant No.2 has moved application CMA No.14422/2017 in which she has prayed that time may be allowed to arrange alternate accommodation. The counsel for the defendant No.2 and attorney of defendant No.4 are present. The attorney of defendant No.4 argued that much reasonable time has already been given to vacate the premises and to make alternate arrangements. The attorney of the plaintiff requests for a short extension to vacate the premises in compliance of earlier orders passed by the court. He has also shown me the letter of Official Assignee dated 19.10.2017 in which notice was issued to hand over the possession otherwise possession will be taken by the Official Assignee with the assistance of police. At the request of the plaintiff's attorney and the counsel for defendant No.2 as a last chance, by consent seven days' time is extended thereafter no further extension will be allowed to vacate the premises and Official Assignee shall comply with the orders.

Judge