

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

Ex. Appln No.80 of 2017

Date

Order with signature of Judge

For orders on CMA No.183/2018.

30.04.2018

Mr. Mustafa Lakhani, Advocate for the D/H.
Mr. Faiz H. Shah, Advocate for the J/Ds.

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Urgent application filed by counsel for the judgment-debtors is granted.

The learned counsel has shown me the original power of attorney executed by Anees Billo, Mohammad Saleem and Aurangzeb in favour of Shaikh Faisal Pervez in relation to the commercial-cum-residential plot of land bearing No.149-A, Block-II, Allama Iqbal Road, Sheet No.35-P/1, P.E.C.H.S., Karachi measuring 1000 sq. yards. The learned counsel submits that on the basis of this unregistered power of attorney, the attorney filed the rectification deed before the Sub-Registrar who has objected that the power of attorney is not registered. Both learned counsel submit that there shall be no material effect on the documents. The decree-holder is in possession but due to the error in the description of property the rectification deed has to be signed. The Nazir is directed to examine all the property

documents alongwith power of attorney and if everything is found in order, then he may call upon the Sub-Registrar concerned for the purposes of rectification only and the rectification deed may be registered under the supervision of Nazir. If the Sub-Registrar has any other objection, the Nazir may file the reference in court. The Nazir's fee shall be Rs.15,000/- that will be paid by the decree-holder in advance. CMA No.142/2018 is disposed of.

Judge

Asif