

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
**HCA No.144 of 2015**

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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Present: Mr. Muhammad Ali Mazhar J.  
Mr. Agha Faisal.J

**Hearing of Case.**

For hearing of Main Case.

**29.05.2018**

Mr. Zahid Hamid, Advocate for Appellants.  
Mr. Mushtaq A. Memon, Advocate for the Respondents No.1 to 5.

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**Muhammad Ali Mazhar.J-** This High Court Appeal has been preferred to challenge the order dated 16.01.2017 passed by the learned Single Judge of this Court in Suit No.585 of 1995. The order is reproduced as under: -

*“Official Assignee’s Reference No.02 of 2016 dated 05.12.2016 is taken on record whereby, he has confirmed through correspondence with the concerned authorities that the property bearing Bungalow No.G-5, situated at Mushtaq Ahmed Gurmani Road, Block-G, Gulberg-II, Lahore is not the property of Main Muhammad Rashid and Mian Muhammad Latif. He is directed to proceed further in this matter as already directed from time to time.”*

The learned counsel for appellant argued that at the time when the learned Single Judge passed the order to take Official Assignee Reference No.02 of 2016 on record he was not present but his junior was holding his brief. He further submits that the objections have been filed in the office on the same date. Learned counsel argued that without providing ample opportunity of hearing on the Official Assignee Reference, it was taken on record, against which this appeal has been preferred. On the contrary, the learned counsel for respondents No.1 to 5 argued that on the date when this Official Assignee Reference was fixed, no objections were filed so the Official Assignee Reference was taken on record by the learned Single Judge.

Since the learned counsel for appellant submits that the objections are already on record, therefore, by consent this appeal is disposed of with directions to the learned trial Court to decide the objections independently if any filed to the Official Assignee Reference No.2 of 2016 in accordance with law preferably within the period of one month after summer vacations.

**JUDGE**

**JUDGE**

*Javaid*

