

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

Adm. Suit No.02 of 2009

Date

Order with signature of Judge

For orders on CMA No.94/2017.

21.11.2017

Mr. R.F. Virjee, Advocate for the Plaintiff
a/w Mr. Mohammad Aftab Alam,
Group Chief Financial Officer of the Plaintiff.
Mr. Shaiq Usmani, Advocate for the Defendants.

On last date of hearing the court observed that the compromise application is without support of affidavit. Today, the learned counsel for the plaintiff invited my attention to the affidavit filed by Mr. Mohammad Aftab Alam, Group Chief Financial Officer of the plaintiff company who is present in court. The affidavit is also supported by the certified copy of the board resolution. In pursuance of the order dated 04.03.2009, the defendant No.2 agreed to deposit U.S. \$ 300,000/- with the Nazir of this court against which the arrested ship was ordered to be released. The endorsement of Nazir shows that Rs.2,40,30,000/- in Pak. rupees are lying with him. Now the plaintiff and defendant No.2 entered into a compromise and agreed that out of the amount lying with the Nazir, Rs.12,015,000/- may be released by the Nazir to the plaintiff and the balance amount may be paid to the

counsel for the defendants “M/s. Usmani and Iqbal”. The application has been signed by the defendant No.2 and their company stamp is also affixed. Both learned counsel have also signed the compromise application and identified the signatures of their clients. In view of the above position, the compromise is recorded and suit is decreed. The Nazir may release the amount in accordance with the terms mentioned in the compromise application including the profit accrued thereon. Pending application, if any, is also disposed of with counter claim of the defendant No.2.

Judge

Asif