

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.D-4521 of 2018

Order with signature of Judge

1. For orders on Misc. No.20229 of 2018
2. For orders on Misc. No.20230 of 2018
3. For hearing of main case

17.12.2018.

Mr. Murtaza Hussain, Advocate alongwith petitioner.
Mr. Meeran Mohammad Shah, AAG Sindh.
Mr. Shamim Iqbal Soomro, Advocate has filed Vakalatnama
for respondents 3 and 5. Respondent No.3 Riaz Hussain and
respondent No.5 M. Shafique also present.

Mohammad Ali Mazhar J.- The petitioner has approached this Court for declaration that respondents 3 to 5 are duty bound to perform their duties in fair manner and to work for the residents of Sara Apartments, Scheme 33, Gulzar-e-Hijri, Karachi. He has sought further directions against respondent No.2 to ensure legal proceedings against present elected body of the Project for the year 2016, as they have failed to discharge their liabilities and duties and further directions to respondent No.1 to enquire about the funds/bank accounts etc.

2. Mr. Shamim Iqbal Soomro, learned counsel for respondents 3 and 5 has denied all allegations leveled in the petition.

3. Counsel for the petitioner pointed out that a complaint was lodged to respondent 2/the Registrar Joint Stock Companies, which he has failed to decide. He pointed out page 43 i.e. copy of complaint lodged to respondent No.2 dated 09.05.2018 in which certain complaints were made against the elected office bearers of the Resident Welfare Association of the Sarah Apartments.

4. Learned AAG is of the view that the matter may be referred to respondent No.2 with the directions to decide the complaint of the petitioner which proposal has been accepted by the parties present in Court with their advocates.

5. As a result of above discussion, this petition is disposed of with the directions to respondent No.2 to decide the pending complaint of the petitioner within 20 days. He will provide ample

opportunity of hearing to the petitioner as well as respondents 3 and 5 and other office members of the Resident Welfare Association, if any. A copy of this order be transmitted to the learned AAG for compliance and onwards transmission to the respondent No.2.

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