

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
I.A. No.202 of 2017**

Order with signature of Judge

Before: **Muhammad Ali Mazhar and Agha Faisal, JJ.**

- 1. For orders on CMA No.411 of 2019*
- 2. For orders on office objections*
- 3. For orders on CMA No.3333 of 2017*
- 4. For hearing of main case*
- 5. For hearing of CMA No.3321 of 2017*
- 6. For hearing of CMA No.3762 of 2017.*

07.02.2019.

Mr. Hamid Idrees, Advocate for the appellant.
None present for respondents Nos.1 and 2 (Banking Courts)
Mr. Haris Rasheed, Advocate for respondent No.3.
Mr. Rashid Hussain, Advocate for respondent No.4.

Mohammad Ali Mazhar J.- Counsel for the appellant and respondent No.4 have jointly moved an application under Order 23 Rule 3 CPC (CMA No.411 of 2019). On last date we directed the Nazir of this Court to submit the report as to whether any amount has been deposited with him or not. The Nazir report dated 1st, February, 2019 is available which shows that in compliance of the order dated 29th November, 2017, the appellant has deposited Rs.52,76,250/- in his office which is lying in the saving account of National Bank of Pakistan, High Court Branch, Karachi. The counsel for the respondent No.3 (Decree Holder) has no objection to the compromise reached between the appellant (J.D) and the respondent No.4 (Auction Purchaser). The compromise application is supported by the affidavits of the appellant and the respondent No.4 duly verified by Identity Section Management System Department of this Court. This appeal is disposed of in terms of the compromise application. The amount deposited with the Nazir of this Court may be released

to respondent No.4 on proper identification and verification and original title documents of the property shall be handed over by respondent No.4 to the appellant simultaneously. The appeal alongwith pending applications is disposed of.

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