

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Suit No. 1473 of 2008

Order with signature of Judge(s)

- For further orders
(In view of Court's order dated 23.05.2018)

16.08.2018

Mr. Arif Khan, Advocate for the plaintiffs
Mr. M. Musharraf Malik, Advocate holds brief for Mr. Ghulam Ali,
Advocate for Defendant Nos.3(h) and 4 to 7

Court has been informed by the counsel for the plaintiffs that while there was no dispute to the Property Nos.1, 2, 3, 12 and 13, however the parties have dispute in respect of the other properties. This Court vide its order dated 24.05.2017 ordered that abovementioned properties be auctioned through Nazir of this Court. A perusal of the subsequent orders suggest that while the Nazir initiated this exercise however it was soon hampered on account of non-availability of the original title documents, while the plaintiffs are claiming that these documents are with defendants/objectors, the objectors are claiming vice versa, for these reasons orders of this Court mentioned earlier could not be complied with. While a brief is held for the counsel for the defendants, however the counsel for the plaintiffs concedes with the view that this controversy could be resolved by directing the Nazir to procure the duplicate set of documents for these properties. Nazir is accordingly directed to do the needful with objective of strict compliance of this Court order dated 24.05.2017. Costs incurred in this exercise shall be deducted from the sale proceedings. The exercise to be completed within thirty [30] days.

JUDGE