

ORDER SHEET  
**IN THE HIGH COURT OF SINDH, KARACHI**  
C.P No. D- 3031 of 2022

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Date	Order with signature of Judge
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For hearing of main case.  
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**17.10.2022.**

Mr. Manzoor Hameed Arain, Advocate for the Petitioner.  
Mr. Shahbaz Sahotra, Special Prosecutor NAB.  
Mr. Ali Safdar Depar, AAG along with Muhammad Ismail, Sub Registrar Clifton Town.  
Mr. Aleem Baig, I.O NAB.

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Pursuant to our order dated 03.10.2022, Mr. Muhammad Ismail, Sub Registrar Clifton Town is in attendance and learned AAG has filed his statement, wherein, it has been stated that a Letter dated 03.03.2020 was sent by NAB seeking some information, whereas, thereafter no response was given by the NAB Authorities; hence, further transfer of the property in question was stopped. It appears that the said letter is in fact the letter impugned in this petition. On perusal of the same it appears that it is neither a caution notice under Section 23 (since omitted) of the NAB Ordinance, 1999; nor an order whereby the Sub-Registrar has been restrained from recording any further transfer(s) of the property in question. It is merely seeking certain information regarding the property in question. As a matter of fact, the case as alleged on behalf of NAB is no more covered under Section 23 ibid (notwithstanding its omission) as apparently now a Reference has been filed with which the Petitioner has no nexus, and the only recourse available to NAB was to seek a freezing order in terms of section 12 thereof, which admittedly has not been done. Investigation Officer present in Court also affirms such position which is also reflected in the comments filed by NAB.

In fact, from the record and the arguments of learned AAG as well as submissions made by the Sub-Registrar present in Court, it is on mere apprehension; and for some other extraneous / unexplained reason(s) that the said Sub Registrar has refused to record transfer of the property. This has resulted is sheer wastage of Court's time as well as of the Petitioner. Accordingly, the Sub Registrar is directed to record transfer of the property in question in accordance with law without being influenced by the impugned letter dated 3.3.2020 issued by NAB.

Petition stands disposed of in the above terms.

**J U D G E**

**J U D G E**