

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

Suit No. 387 of 1981

Date: Order with signature of the Judge

1. For order on O/A's Reference No. 5/2023
2. For hearing of CMA No.2278/2019
3. For hearing of CMA No.3479/2019
4. For hearing of CMA No.7654/2020
5. For hearing of CMA No.10911/2022
6. For order on O.A.'s Reference 6/2024

19.02.2024

Ms. Maryam Riaz advocate for legal heirs of plaintiff No.1
Mr. Arshad M. Tayebaly, advocate for purchaser
Chaudhry Atif Rafiq, advocate for legal heirs of Plaintiff No.5, attorney of
plaintiffs No.3, 6 to 9 and 12
Mr. Zohaib Ahmed advocate holds brief for Mr. Khalid Mehmood
Siddiqui, advocate for defendant No.6
Mr. Akhtar Ali, advocate for Land Utilization Department
Ms. Saima, Assistant Advocate General
Mr. Sajjad Ahmed, representative of Official Assignee's

1-5. Adjourned.

6. Reference is taken on record, subject to exceptions. No objections to the same have been demonstrated before this Court. Vide order dated 10.10.2022 certain orders were passed pertinent to the suit property. Today, through this reference, learned Official Assignee seeks for issuance of Show Cause Notice to the Secretary, Land Utilization Department, Government of Sindh, *inter alia* for non-compliance of the aforesaid order.

Learned AAG submits that the Province does not *concur* with the order dated 10.10.2022, however, no appeal has been filed there against till date. Such statements do not befit the AG office and on the contrary bolster the Official Assignee's request for issuance of a Show Cause Notice. In view hereof, let Show Cause Notice be issued to the Secretary, Land Utilization Department, Government of Sindh, to appear in person and explain why he has failed to comply with the orders of this court dated 10.10.2022.

Insofar as paragraph 1 of the prayer of the Official Assignee Reference is concerned, the counsel for the purchaser submits that he may be permitted to have relevant pay order revalidated and submitted before the Official Assignee where after the acceptance of offer may be undertaken by the Official Assignee. The respective counsel convey their consent in such regard. Order Accordingly. The amount so deposited may be invested in Government profit bearing securities.

To come-up on 04.03.2024.

Judge