

IN THE HIGH COURT OF SINDH AT KARACHI

Suit No.783 of 2005

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Date	Order with signature of Judge
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For hearing of CMA 2819/2011.

21/10/2013:

Mr. Rizwan Siddiqui, advocate, alongwith plaintiff in person.

Mr. Pardeeb Kumar holding brief for Mr. Hassan Imam, advocate, alongwith defendant No.1 in person.

None for rest of the defendants.

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Learned counsel for plaintiff has pointed out that he has filed an statement dated 31.8.2013 in the office on behalf of defendant No.1 making an offer of Rs.13,000,000/- and intends to purchase the subject property. The defendant No.1, who is the only contestant in the matter, today has made an offer in open Court of Rs.15,000,000/- for the purchase of the subject property. In the given circumstances, issue in this case is reduced only to the level that whether the plaintiff or defendant No.1 will purchase the property by matching each other offer. Since this is an ancestral property, it will always be in the interest of legal heirs to purchase property of their ancestors instead of selling of an stranger, therefore, in order to avoid sale through Nazir last chance is given to the plaintiff and defendant No.1 to settle the matter and distribute the share among the legal heirs in respect of the property otherwise Court will be obliged to order for auction of the subject property through the Nazir of this Court.

Adjourned to 04.11.2013.

Judge