

IN THE HIGH COURT OF SINDH AT KARACHI

Ex. A. No. 37 of 2006  
J.M. No. 61 of 2011

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Date	Order with signature of Judge
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EX. A. NO.37 OF 2006:

For hearing of CMA Nos:

1. 373 of 2007 (U/O 21 R 58 R/W S. 151 CPC)
2. 89 of 2008 (U/S 151 CPC)
3. 237 of 2008 (U/O 18 R 18 CPC)
4. 801 of 2008 (U/S 21 R 100 & 101 CPC)
5. 502 of 2010 (U/O 21 R 58 CPC (IN SEPARATE PART))
6. 636 of 2010 (U/O 39 R 1&2 CPC (IN SEPARATE PART))
7. 540 of 2012 (U/O 39 R 1 & 2 CPC)
8. For hearing of Dy Nazir's report dated 31.12.2011
9. For orders on Nazir's report dated 20.11.2012.

J.M. NO.61 OF 2011:

1. For hearing of CMA No.6304/2011 (U/O 39 R 1&2 CPC)
2. For hearing of Main Application (U/O 12(2) CPC)

22/10/2013:

Mr. Khursheed Ahmed Qureshi, Advocate for decreeholder in Ex. A. No.37 of 2006 and Respondents No.1 to 3 in J.M. No.61 of 2011 alongwith the decreeholder.

Mr. Ammar Yaseer, Advocate for the applicant Jamia Millia Government Degree College Malir in J.M. No.61 of 2011.

Ms. Sofia Saeed Shah, Advocate for applicant/intervenor Saudagaran Cooperative Housing Society Limited (CMA No.374 of 2007) in Ex.37 of 2006

Kazi Majid Ali, Assistant Advocate General Sindh.

Mr. Muhammad Aqil Advocate is present for applicant/intervenor Jamia Millia Society and undertakes to file his Vakalatnama.

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Through J.M. No.61 of 2011 the applicant Jamia Millia Government Degree College Malir, Karachi, has challenged the judgment and decree dated 28.11.2005 passed in Suit No.1053 of 2004 on the ground that the property which has been claimed as a suit property belongs to Jamia Millia Government Degree College Malir, Karachi. It is further alleged that under a collusive decree an attempt has been made to occupy the land which, in fact, belongs to the College. The decree-holder is trying to raise wall and creating hindrance in the possession of the property which, in fact, belongs to the College. The decree-holder says that the decree has not been satisfied fully. However, at the same time he says that a portion of the property which is acquired under the so called decree is still in possession of the Pakistan Rangers.

Be that as it may, the parties are directed to maintain status-quo and in the meanwhile execution proceedings shall remain suspended. Nazir of this Court is directed to inspect the premises at the cost of Rs.10,000/- which will be paid by Jamia Millia Government Degree College Malir, Karachi, and submit his report about the status of the property pending J.M. No.61 of 2011. The Nazir shall also take photographs and submit the same alongwith his report.

To come-up on 31.10.2013.

JUDGE

S.Akhtar