IN THE HIGH COURT OF SINDH AT KARACHI

Ex. A. No. 28 of 2009

Date	Order with signature of Judge

For hearing of CMA No.284/2012 (U/O 21 R 62 R/W S. 151 CPC).

23/10/2013:

Mr. Neel Keshov, Advocate for the decree-holder.

Mr. Bhajandas Tejwani, Advocate for the judgment-debtor.

Objector Anant Kumar Parshotam Kanabar in person.

During the course of arguments of this application (CMA No.284 of 2012) learned counsel for the decree-holder has informed that as per Nazir report dated 9.4.2012 a decree in respect of premises No.121 consisting of 17 rooms alongwith one big hall was handed over by the judgment-debtor to him through the Nazir of this Court. Learned counsel for judgment-debtor stated at the bar that whatever property has been handed over to the Nazir of this Court was given in good faith as part and parcel of the decree. However, Nazir reflected in his report that Premises No.153 has been sealed by him in order to avoid any law and order situation. Nazir to explain that why and under what authority he has exercised the power of sealing the property which was not part and parcel of the decree. This apparently is a wrong exercise of the authority by the Nazir which has created a serious dispute in the present proceedings which otherwise should have been settled by the parties in any other forum available to them. Learned counsel for the judgment-debtor has stated at the bar that whatever property has been handed over to the Nazir was given to him in

good faith as part and parcel of the judgment and decree. By that as it may, pending the further proceedings Nazir to first explain his position about the question raised here that who has authorized him to exercise his power to seal a property bearing Premises No.153 on the pretext of controlling law and order situation in respect of the property which was not falling within his jurisdiction while complying with this order to satisfying the decree.

Adjourned to a date in office.

JUDGE

S.Akhtar