

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.

SUIT NO.1174 OF 2011

Dated	Order with signature of Judge
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1. For hearing of CMA 4740/2011.
2. For hearing of CMA 4741/2011.
3. For hearing of CMA 9763/2011.
4. For hearing of CMA 9764/2011.

Mr.Amir Malik, for the plaintiff.

Ch. Abdul Rasheed, for defendants alongwith defendant No.3 in person.

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1. Deferred.
2. By consent of the parties, a preliminary decree be prepared in respect of properties mentioned at serials Nos.3 & 5 of the Plaint, Nazir of this Court is directed to execute preliminary decree in terms of Order XX, Rule 13, CPC.
3. Learned counsel for defendants has raised dispute in respect of properties mentioned at serials Nos.1,2 and 6 of paragraph 3 of the Plaint. They claim that these properties were gifted by the deceased in his life time. Since the question as to whether these properties were gifted to the defendants by the deceased or the defendants have taken the advantage of being living with the brother, who died on 28.5.2011, the defendants are directed that no third party interest to be created in these properties till disposal of the suit.
4. Learned counsel for defendants claims that till date he has not been received copy of this application. Learned counsel for plaintiff undertakes that he will supply the same during the course of day, whereafter learned counsel may file counter affidavit, if so advised. Adjourned.

Judge

Ayub