

ORDER SHEET

IN THE HIGH COURT OF SINDH KARACH

Ex. No.05/2011

Date order with signature of Judge

For hearing of execution application.

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23.12.2013

Mr. Aamir Maqsood, Advocae for D/H.
Mr. Muhammad Zahid, DAG alongwith Col. Khalid.

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The J/D has failed to comply with the order dated 6.12.2013. Cost was to be paid by the J/D on failure to comply with the order.

Today the J/D innocently says that they do not know the exact amount payable by J/D in terms of decree. The J/D has a very big Account Department headed by Controller of Military Accounts and they are unable to make simple calculation in term of decree as partly done by D/H and mentioned in Column Nos. 8, 9 & 10 of the Execution Application. Therefore, in the first instance they are directed to deposit cost of Rs.10,000/- alongwith a sum of R.30,17,164/- with the Nazir of this Court within 24 hours; failing which contempt proceedings will be initiated against the officer present today in Court and any other officer who may be found responsible for non-compliance of the order. It is a matter of record that assurances have been extended earlier by different officers of the rank of Colonel before the High Court.

Nazir should submit report on 26.12.2013 regarding compliance of today's order.

Now it is ordered that the Military Account Office in the light of the judgment and decree should make calculations in terms of decree as done and mentioned in Columns No. 8,9 & 10 of the Execution Application and disclose the exact amount due under the decree over and above the amount to be deposited within 24 hours. This statement should come from the Decree Holder alongwith the cheque or pay order equivalent to the same amount on the first opening day of this Court after winter vacations. Any mistake in such calculation and /or omission shall entail penal consequences.

To come up on 13.01.2014.

J U D G E

sharif