

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
 Suit No.63 of 2002

Order with signature of Judge

1. For hearing of CMA No.1602/2014 (U/s.3 & 4 of Contempt Act)
 2. For hearing of CMA No.1789/2014
 3. For further order on Nazir report dated 19.2.2014.
 4. For Final Argument
 5. For orders on Nazir's report dated 24.2.2014.
 6. For orders on Nazir's report dated 26.2.2014
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26.02.2014.

Mr. Khalid Daudpota, Advocate for the Plaintiff.

Mr. Azizuddin Qureshi, advocate for the Defendants No.1 to 7.

Nazir and Deputy Nazir present.

This case was taken up before tea break, the counsel for Defendant No.8 and the Defendant were present, it was briefly heard. He was confronted by the Plaintiff with the Nazir report dated 7.3.2008 whereby valuation of two properties were placed on record in terms of order dated 15.11.2007. However, after tea break when the case was called the Defendant No.8 and his counsel are absent without intimation. Since this is a case of administration of the properties of the deceased pending since 2002 and apparently several orders have been passed, which seems to have not been fully complied with or only partly complied with, therefore, Nazir is directed to make the following inquiries:-

- i. Nazir should obtain documents from the Defendants No.1 to 7 regarding the properties whatever documents they have.
- ii. By order dated 10.5.2004 Nazir was directed to obtain original documents from the possession of Defendant No.13 who is son of Defendant No.8 and reside with the Defendant No.8.

- iii. Nazir, if failed to obtain originals is directed to obtain true certified copies of the two properties mentioned in the Nazir report dated 07.3.2008 since the valuation has been made by him in compliance of the order dated 15.11.2007.
- iv. Nazir is also directed to enquire about status of the other properties which the Defendants No.1 to 7 may identify to the Nazir and after enquiring from the builder or whoever may be the owner or otherwise raise any objection regarding title of the deceased may also be placed on Court record. The builder of Falak Naz, may also be examined and record may be obtained from his office in respect of properties to be identified by Defendant No.1 to 7 in their project.
- v. Nazir is directed to locate the person who was supervising business of Danish Shoes under the order of this Court and seek assistance of police and find out from the previous Nazir that how he was appointed and how many reports submitted by him. Whether documents were obtained or not and if not he should immediately take steps to comply with the said order within ONE WEEK.
- vi. Nazir should take further steps at his own to locate and verify the properties moveable and immoveable both left by the deceased.
- vii. Nazir has not complied with order dated 18.2.2014 he should comply with it forthwith.
- viii. Nazir is supposed to examine the Court file from first order to the last order and identify how many orders and certain directions given to the Nazir from time to time were complied

with or partly complied with or not complied with. So far all the orders should have been complied with to the logical end.

ix. Nazir should be present in Court to explain the report.

At least first interim report should be submitted on 6.3.2014 and the entire item wise as mentioned above should be filed within 15 days from today. This case be fixed in Court on 07.3.2014.

JUDGE

SM