

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Suit No.1887 of 2010

Order with signature of Judge

For hearing of Nazir's Report dated 13.02.2013.

31.01.2014.

Mr. Muhammad Ikram Siddiqui, advocate for the
Plaintiffs, who are also present in person.
The Defendants are present in person.

This Suit has been filed by the Plaintiffs, who are the Daughter/Legal Heirs against the Defendants, who are the Sons/Legal Heirs of the Deceased Ishtiaq Ahmed, for partition of the property bearing Housing on Plot No.A-41, Block-A, North Nazimabad, Karachi.

On the last date of hearing, they have suggested that they have a buyer and they have agreed to sell the said property to the buyer. The Preliminary Decree has been issued on 21.11.2012 and there is no other moveable and immovable properties to be distributed amongst the legal heirs.

In terms of the directions issued on 27.01.2014, the proposed buyer was directed to be present in person before this Court. However, learned counsel for the Plaintiff has produced original CNIC of one Mst. Mehwish Adnan wife of Adnan Akhlaque having CNIC No.42101-5969617-8 and brought 10 Pay Orders for the total sum of Rs.1,08,00,000/- (One Crore Eight Lac only) towards the settled sale consideration of the property in question. These Pay Orders include four Pay Orders in the sum of Rs.15,42,857/- each in favour of the Defendants/Sons and six Pay Orders each for the sum of Rs.7,71,428/- in favour of the Plaintiffs/Daughters of the Deceased Ishtiaq Ahmed. These Pay Orders are directed to be handed over to the Nazir of this Court, who shall hand over the same to the respective Parties after proper identification and verification. Once the sale deed is extended in

favour of the proposed buyer is stated to be ill and could not appear before this Court today and she has only sent these Pay Orders.

The original property documents are already laying with the Nazir of this Court, he is directed to keep these Pay Orders in his custody until Buyer Mst. Mehwish Adnan wife of Adnan Akhlaque appears before him. The Nazir of this Court is directed arrange execution of the Sale Deed specifically in the name of Mst. Mehwish Adnan wife of Adnan Akhlaque and all the expenses for transfer of the property including Nazir's fee shall be born by her from her own resources.

The Nazir to complete this exercise within one month's time and hand over peaceful possession of the said property to Mst. Mehwish Adnan wife of Adnan Akhlaque alongwith all the title documents after setting them verified from the Office concerned authorities viz. KDA, KMC, KBCA and Registrar of Properties. All the Plaintiffs and the Defendants are directed to vacate the property within 15 days otherwise the Nazir of this Court shall eject them by police force on the day of execution of Sale Deed by him in favour of Mst. Mehwish Adnan wife of Adnan Akhlaque

The instant Suit stands disposed of in the above terms.

JUDGE

MUBASHIR