

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Suit No.1101 of 2013

Date Order with signature(s) of Judge(s)

1. For Orders on Official Assignee Ref: No.01/2014
2. For hearing of CMA No.9288/2013 (U/o. 39 Rule 1 & 2.
3. For hearing of CMA No.9289/2013 (U/o. 39 Rule 39 Rule-7)

10.02.2014.

Plaintiff Jameel Ahmed Tatari, present in person.
Mr. Khalid Siddiqui, advocate for the Defendant No.2.

This administration suit is in respect of the estate of the deceased Muhammad Din son of Fateh Muhammad, who died on 12.7.1988. He has left only one property bearing Plot No.14/8, measuring 578 sq.yds, (Constructed Residential 300 sq.yards and Commercial 278 sq.yards) situated at Firdous Co-operative Housing Society, Gulbahar, Liaquatabad Town, Karachi. The grievance of the plaintiff in this case is that he has been forcibly thrown out from the portion of the property left by his deceased father by the children of Ameen Ahmed Tatari, after the death of Ameen whose two sons have been impleaded as Defendant No.1 (i)(ii). By order dated 23.12.2013, Official Assignee of this Court was appointed to inspect the premises and submit report about the status of the premises and claim. Official Assignee report is available with photographs of the premises in which even Defendant No.1 (ii) namely Muhammad Khalid Ahmed Tatari is also available but despite the facts he has even affixed signature on the report prepared on the site at the time of taking photographs by Official Assignee's Reference as annexure-A. Since there is no dispute to the effect that the property belong to the deceased and the plaintiff, Defendant and other legal heirs mentioned in

para-1 of plaint are the surviving legal heirs of deceased Muhammad Ameen, the Official Assignee is directed to obtain original title documents and auction the property. The Plaintiff and Defendant No.2 are directed to deposit initially a sum of Rs.20,000/- toward auction expenses, which will be adjusted proportionately from share of all the claimants of the property. Official Assignee is directed to complete exercise of sale within one month and submit report.

JUDGE

SM