

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
J.M No.36 of 2008

DATE ORDER WITH SIGNATURE(S) OF JUDGE(S)

For hearing of CMA No.9413/2008

06.11.2014

Mr. Mushtaque A. Memon, Advocate for the Applicant.
Mr. Usman Hadi, advocate for the Respondent No.1.
Mr. Faheem Zia, advocate for the Respondent No.3
alongwith Mr. Mehmood Habibullah, advocate.

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After a detailed discussion about history of this litigation it transpired that the parent litigation is J.M No.01/1989 wherein the company by the name M/s.T.J. Ibrahim & Co. has been liquidated and Official Assignee has been appointed liquidator, therefore, Official Assignee has claim on these properties are subject matter of J.M No.36/2008 & J.M No.37/2008. Official Assignee has filed this J.M to assert his position in respect of the property which is subject matter of these two J.Ms. The Decree Holder in both these cases which are arising from Suit No.905/2008 and Suit No.224/1989 on the basis of judgment and decree have filed an application under **Order 1 Rule 10 CPC** to become party in the original **J.M No.01/1989**. In these circumstances, the orders on the said application of decree holder in J.M No.01/1989 will have direct bearing on the proceedings of J.M Nos.36 & 37 of 2008. Therefore, pending CMA No.47/21992 filed by the Respondent No.1 in J.M No.37/2008 and CMA No.1942/2002 filed by Respondent No.1 in J.M No.36/2008 are hereby adjourned *sine die* and may be taken after final orders on this application under Order 1 Rule 10 CPC in J.M No01/1989.

JUDGE