

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Suit No.1101/2013

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

1. For orders on CMA No.13188/2014 (U/s.151 CPC)
 2. For orders on Official Assignee Ref: No.4/2014
 3. For hearing of CMA No.9890/2014 (U/s.151 CPC)
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22.10.2014

Plaintiff present in person.

Mr. Sartaj Malkani, advocate for the Defendant No.1.

Mr. Khalid Siddiqui, advocate for the Defendant No.2.

Mr. S.M Iqbal Shah, advocate for Auction Purchaser.

Mr. Sajjad Ali, representative of Official Assignee.

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CMA No.13138/2014 Through this application Plaintiff has sought inclusion of name of Dr.Shahida Anis w/o Anis Agha amongst the legal heirs of deceased Jameela Begum since inadvertently her name was not mentioned in the list of legal heirs mentioned in para-1 of the plaint. None of the other legal heirs have any objection to this application. Official Assignee is directed to include the name of Dr.Shahida Anis as one of the legal heirs entitle for the share byway of inheritance through Jameela Begum at the time of distribution of sale consideration after handing over possession of the property to the Auction Purchaser.

2. In view of the orders Official Assignee's reference is accepted. Official Assignee is directed to give a final notice of 20 days to the Defendant No.1 to vacate the premises. Counsel for the Defendant No.1 is present in Court and despite this fact the notice may be given formally to the Defendant No.1 through SHO concerned so that he should not avoid service of notice. Thereafter within one week Official Assignee may get police aid for vacation of the premises even break open the lock and anything is found the Official Assignee may prepare inventory of the same in presence of all the other legal heirs and any household is found the same may be removed and

brought into High Court and be kept in godown and executed sale deed in favour of Auction Purchaser.

CMA No.9890/2014 Through listed application Defendant No.1 seeks six months time to vacate the premises, which was auctioned on 18.5.2014 and auction purchaser having deposited the entire bid amount after confirmation of sale on 07.8.2014. Since there is no justification for letting him continue in possession, when particularly sale consideration has been deposited by the Auction Purchaser. This application has no merit, it is dismissed.

JUDGE

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