ORDER SHEET IN THE HIGH COURT OF SINDH AT KARACHI

Execution No.52 of 2005

DATE

ORDER WITH SIGNATURE(S) OF JUDGE(S)

- 1. For hearing of CMA No.199/2012
- 2. For hearing of CMA No.287/2013
- 3. For hearing of CMA No.419/2013

24.10.2014

Mr. M. Shafi Rajput, for decree holder

Mr. M.G. Dastagir, alongwith JD / Contemnor No.3

This execution is pending since 2005 for recovery of Rs.15 million out of the decretal amount of Rs.20 crores, for which the judgment debtor has been dodging the Court several times, even bailable warrants were issued against him for securing his attendance. The judgment debtor on 10.2.2010 has undertaken to satisfy the balance decretal amount within six months. On his undertaking case was listed after six months on 12.8.2010 and the judgment debtor again got two months' time. Thereafter on 23.11.2010, he was personally present and again requested for one month's time. Thereafter he waited for two years to file objections to the execution application on 26.9.2012 as if he had not given any undertaking to the Court as reflected in orders mentioned above.

Since the objections to the execution application in terms of Order XXI Rule 23-A CPC are subject to the payment of money or furnishing of security for due performance of decree, therefore, pending this execution as well as other applications, property of the judgment debtors / contemnors i.e. office alongwith all fittings and fixtures, situated on 3rd Floor, Ausaf Center, Opposite Mumtaz Manzil stop, Gulshan-e-Iqbal, University Road, Karachi and Account No.1010021020 operating in MCB Bank, Gulshan-e-Iqbal, Block 13-D Branch, in the names of judgment debtors / contemnors to the extent of Rs.15 million, are hereby attached.

JUDGE