

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Suit No.617 of 2007

DATE	ORDER WITH SIGNATURE(S) OF JUDGE(S)
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1. For hearing of CMA No.639/2014
2. For hearing of CMA No.33579/2012
3. For hearing of CMA No.12094/2012
4. For Examination of parties / settlement of issues

24.02.2015

Mr. Arshad Hussain, advocate for the Defendant No.7 & 8.
Mr. Adil, advocate for the Defendants No.9 & 10.

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By order dated 20.4.2011 this Court has already ordered for issuance of preliminary decree. However, somehow or the other Nazir of this Court has assumed the role of administrator / receiver and performing his duty of realizing certain amount from the tenants and other income of the properties for distributing the same amongst the legal heirs. However, a formal preliminary decree has not been prepared by now, therefore, to set the record straight, it is hereby ordered that formal preliminary decree may be issued incorporating all the accounts and inquiries so far made by the Nazir pursuant to order dated 20.04.2011 whereby he was appointment as receiver. Nazir must also give comprehensive report of all the properties / rent so far has come to his hands and expected to come on record so what is left between the parties for distribution is to be determined for passing a final decree.

1. Learned counsel for the Defendant through this application has prayed that certain amount is lying in MRC which may be realized by the Nazir from the Court of Rent Controller and distribute amongst the parties. Nazir may realize said amount,

however, before realizing said amount he should ensure that MRC is in respect of the property mentioned in the plaint and submit report accordingly before disbursing the same.

2. This being a suit for administration, the parties are directed to maintain status quo till final decision. The application is allowed.

3. Dismissed for non-prosecution.

4. Deferred.

To come up on 24.3.2015.

JUDGE

SM.