

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

High Court Appeal No.109 of 2024

Muhammad Kamran Farooqui and others
Versus
Mrs. Qaiser Yousuf and others

| | |
|------|-----------------------------------|
| DATE | ORDER WITH SIGNATURE OF JUDGE(S). |
|------|-----------------------------------|

Hearing case (priority)

1. For order on Nazir Report dated 09.04.2024, 02.04.2024 and 22.03.2024
2. For order on office objection a/w reply at "A".
3. For hearing of main case.
4. For hearing of CMA No.688/2024 (Stay).

.....

Dated 20.05.2024

Appellant No.1 Muhammad Kamran Farooqui present in person.
Mirza Sarfaraz Ahmed, Advocate for Respondents No.1 & 2.

.....

In a suit for Administration, by way of a preliminary decree, a property was put to auction. The legal heirs have been participating in the auction process for quite some time now. By way of an order dated 27.03.2024, the parties were required to submit their offers before the Nazir of this Court, which they did. Earlier, Muhammad Kamran Farooqui/Defendant No.1 in the suit has offered the bid of Rs.9,26,00,000/- which was contested by Ms. Qaiser Yousuf, Plaintiff No.1 in the suit through her attorney Mr. Mahboob Yousuf who offered Rs.9,30,00,000/- and deposited 25% of the bid amount. The Nazir's report also suggests that as against that offer, Muhammad Kamran Farooqui, defendant No.1 in the suit has withdrew his earlier offer of Rs.9,26,00,000/- and has now offered Rs.9,50,00,000/- but the requisite pay order of 25% has not been deposited in terms of scheme of Order-XXI CPC.

Mirza Sarfaraz Ahmed, learned counsel for Respondents has also marked his presence on the count that his client is willing to offer Rs.9,60,00,000/-.

It seems that the property is valuable more than being offered. In all fairness, let a competition be made before the learned Nazir before whom the parties may submit their best offers along with requisite 25% of offer, which report shall then be placed before learned single Judge for its confirmation or otherwise.

With this understanding of law, the appeal stands disposed of along with pending application(s).

JUDGE

JUDGE

Ayaz Gul