

IN THE HIGH COURT OF SINDH AT KARACHI

Rev. Appln No.160 of 2024

Date	Order with Signature of Judge
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D/o matter

For orders on Nazir's Reference dated 02.10.2025
a/w objections of respondent.

06.10.2025

Mr. Muhammad Zarman, Advocate for the applicant.
Mr. Faraz Fahim, Advocate for the respondent.

This revision application was disposed of in accordance with the final order dated 27.03.2025. Thereafter, on 17.09.2024, Respondent No.1 filed an urgent application (CMA No.6149/2025), when the Nazir's Report dated 11.09.2025 was also listed for Orders. As per Nazir's Report, the applicant had yet to comply with the above mentioned final order. Therefore, after noticing that, as per the Nazir report, the surety person had not deposited the surety bond with the Court, this bench adjourned the matter as a last and final chance to come up on 06.10.2025. It transpires that on 04.10.2025, the Nazir filed a reference dated 02.10.2025, wherein he has submitted that while the surety documents are verified and found genuine, the respondent has objected that the value of the property - which was supposed to be Rs.20 million - is allegedly worth less than Rs.6 million. Today, the applicant's counsel present in Court conceded that the two properties are less than Rs.20 million, and that this is because, as per the final order dated 27.03.2025, the respondent's counsel had accepted the sureties of the two properties with the Nazir of the Court, irrespective of the total value. Heard Counsel. It is apparent from the contents of the revision application and the two CMAs listed for hearing on 27.03.2025 (CMA Nos.11169/2024 and 9290/2024), that the sureties to be deposited with the Nazir of this Court were to be equivalent to Rs.20 million, even though there is no express mention of Rs.20 million in the final disposal order. In the event that an order passed by the Court is vague or unclear, the contents of the revision and the applications listed for hearing and counter-affidavit or rejoinder affidavit may be used as aids to interpretation. To this end, prima facie, the final disposal order is/was impliedly conditional upon the deposit of furnishing surety in the sum of Rs.20 million. Adjourned to 22.10.2025 at 11:00 a.m. for further arguments when counsel will satisfy the Court as to why this bench, in the facts and circumstances of the case, should or should not set aside the final disposal order, which was conditional on the deposit of surety in the sum of Rs . 20 million. Meanwhile, the office is directed to obtain a status report for Summary Suit No. 207/2023 from the District Judge East through the XIth Additional District Judge, Karachi East.

JUDGE