

/ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Suit No.2661 of 2016

Date	Order with signature of Judge
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1. For Orders on CMA NO. 17749/2016
2. For Orders on CMA NO. 17750/2016
3. For Orders on CMA NO. 17751/2016

20.12.2016

Mr. Chaudhry Atif Rafiq, Advocate for the plaintiff

1. Granted.
2. Learned counsel for the plaintiff submits that the present suit pertains to a dispute of between the partners of a registered partnership firm under the name and style of “M/s. Meher CNG Station, and draws my attention to the Certificate of Registration and Deed of Partnership filed as Annexures A-1 and A-2 to the Plaint respectively. He submits that business of the partnership is a CNG station situated on Plot No.SC-27, Block11-H, North Karachi Township, North Karachi (the “**Subject Plot**”), and invites my surveillance to the Indenture of Lease of the Subject Plot filed as Annexure C-4 to the Plaint, from which it appears, prima facie, that the same is jointly owned by the Plaintiffs Nos. 2, 3 and 15 and the Defendants Nos. 1 and 2. Learned counsel contends that whilst the Defendant No.2 had been entrusted with the management of the business, he has subsequently committed acts of misfeasance in breach of his fiduciary duties/obligations, and acted so as to disavow the partnership and misrepresent himself as the sole proprietor of the aforementioned CNG station. He invites my surveillance in that regard to the content of the Plaints in Suit Number 2013 of 2016 and Suit Number 2164 of 2016 (filed as Annexures L-1 and L-2 to the Plaint), both of which are pending before this Court. Learned counsel submits that in

view of what has transpired it is apprehended by the plaintiff co-owners of the Subject Plot that the Defendant No.2 may seek to deal therewith to their detriment and create a third party interest, as the original title documents are in his custody. Let notice be issued to the Defendants for the next date. Until then the Defendant No.2 is ordered to maintain the status quo in respect of the Subject Plot. Office is directed to tag Suit Numbers 2013/2016 and 2164/2016 along with the present suit. To come up on 09.01.2017.

3. Notice.

JUDGE

SSI