

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI

**Suit No. 2726 of 2016**

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Order with signature of Judge(s)

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1. For hearing of CMA No.7127/2018
2. For hearing of CMA No.7128/2018
3. For hearing of CMA No.17929/2016
4. For hearing of CMA No.17930/2016
5. For hearing of CMA No.3397/2017

**15.08.2018**

Mr. Khalid Mehmood Khan Kayani, Advocate for the plaintiffs  
Mr. Shah Muhammad Maitlo, Advocate for Defendant No.1  
Mr. Manzoor-ul-Haq, Advocate for Proposed Defendant No.19  
Ms. Farkhanda Mangi, State Counsel alongwith Aijaz Ahmed Qureshi,  
ETO, M.R  
Adeel Irfan, Operation Manager, Allied Bank  
Waqas Iftikhar, Operation Manager Meezan Bank

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1 & 2. Learned counsel for Defendant No.1 submits that he only received notice of these applications and has not received copies of the attachments. Learned counsel for the plaintiffs hands over copies of these applications which are received by the counsel for Defendant No.1, who seeks time to file his counter.

Mr. Suleman Huda, Advocate undertakes to file Vakalatnama on behalf of Proposed Defendant Nos.8 and 9. Mr. Muhammad Khalid, Advocate also undertakes to file Vakalatnama on behalf of Proposed Defendant No.15.

Parawise comments are filed on behalf of Defendant No.21, copy of which supplied to the contesting counsel.

Counsel for the plaintiffs submits that Plaintiff No.1 who had made claim that after the death of her husband a number of properties belonging to her late husband have been unauthorizedly occupied by the defendants, who are mother-in-law, brother-in-law as well as sister-in-law of the Plaintiff No.1. While there are number of properties in dispute, however in respect of Property No.4(ii), 4(iii) and 4(iv) it is contended by the counsel for the plaintiffs that no denial of the fact that these properties belong to the Plaintiff No.1's husband is made, however it is stated that Defendant No.7 sister-in-law is receiving rents in

respect of Property Nos.(iii) and (iv) while residing in Property No.(ii). It is contended by the counsel for the plaintiffs that it is a hardship case since the plaintiffs have no other source of income.

In these circumstances, per counsel by way of an interim measure rental income being received from the said properties be handed over to the plaintiffs. As none is present on behalf of Defendant Nos.2 to 7 who are in-laws of the Plaintiff No.1, their alleged admission as to the ownership of these properties could not be ascertained.

With intimation to the counsel for the Defendant Nos.2 to 7 to be present on the next date of hearing so that this primary issue could be decided in the interest of justice on 04.09.2018.

JUDGE