

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Suit No. 1137 of 2008

Order with signature of Judge(s)

1. For further orders on Nazir Report dated 30.08.2018
2. For hearing of CMA No.6602/2017
3. For hearing of CMA No.11194/2016

07.09.2018

Mr. Shah Nawaz, Advocate for plaintiffs

Mr. Muhammad Yameen Zaidi, Advocate alongwith defendants
Asifa Bano, Muhammad Sirajuddin Sheikh, Muhammad Mobin Sheikh
Naheed Parveen and Shahida Bano

Ms. Nighat Fatima, Advocate holds brief for Syed Abdul Waheed,
Advocate for Defendant No.2 alongwith Defendant No.2 Muhammad
Mirajuddin Sheikh

This Court vide its order dated 31.08.2018 gave various options to the parties with regard to distribution of their shares as detailed in the said order. As it could be noted from the said order, there are two groups of legal heirs; one wishing to sell property and have the shares distributed, while another group of legal heirs wishes to retain this ancestral property. Before this Court an offer was made by the earlier auction purchaser that he is willing to pay Rs.100,000,000/- (Rupees Ten Crore) if vacant possession of the property is handed over to him. By far this is the highest offer which seemingly has acceptance across the board, however there are seven legal heirs who have chosen not to sell the property at this price they rather wish to buy the shares of those three parties who intend to sell the property.

In these circumstances, learned counsel representing the parties, who are willing to retain the property is directed to file a statement showing details of the legal heirs and their respective shares who are choosing to retain the property, and as well as details and shares of the legal heirs who are proposing to sell the property. At the moment, it appears that seven legal heirs wish to retain the property and only three wish to have their respective shares

distributed. In the circumstances at hand, while Nazir is directed to retain the earlier offer for the time being, parties are directed to file statement in this regard within next seven days alongwith respective shares, at which juncture Court will determine appropriate time to be given for the payment of respective shares to the legal heirs who are choosing to have the property sold at the price of Rs.100,000,000/- (Rupees Ten Crore) lump sum.

To come up on 14.09.2018.

JUDGE