

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Suit No. 800 of 2007

Order with signature of Judge(s)

1. For orders on Commissioner Report dated 06.05.2014
2. For orders on CMA No.13542/2018

10.09.2018

Mr. Abdul Waheed Siyad, Advocate for the Plaintiff
Mr. Parvez Ahmed Mastoi, AAG
Mr. Ghulam Abbas, Advocate for Defendant No.2

It appears that Commissioner has not concluded recording of evidence till date. Apparently, the Defendant No.2 the Land Utilization Department was debarred by the order of Additional Registrar (OS), while suit for specific performance was originally filed between two private parties, which cannot be adjudicated without input from Defendant No.2 to the extent that even there is a fear that a fraud may be committed.

For these circumstances, I while allowing the application of Defendant No.2 (CMA No.13542 of 2018) seeking setting aside of order of Deputy Registrar (OS) take on record the WS filed by Defendant No.1. In the circumstances at hand, learned counsel for the Plaintiff suggests that there was no issue framed against Defendant No.2, learned AAG/counsel for Land Utilization Department is directed to submit its proposed issues on the next date of hearing.

To come up on 26.09.2018.

JUDGE