

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

SMA No. 41 of 2015

Order with signature of Judge(s)

- For orders on CMA No.933/2018

24.09.2018

Mr. Mansoor-ul-Arfin, Advocate for the Petitioner

Through the instant application return of surety documents lying with the Nazir of this Court is sought. Nazir has already vide his reference dated 25.02.2016 affirmed that the original title documents of the properties i.e. 5/24/A, Block-III, Bihar Muslim Co-Operative Society Limited Karachi, measuring 430 square yards and 15/24/A/1, Block-III, Bihar Muslim Co-operative Society Limited, Karachi, measuring 429 square yards were deposited with him as the bank's liabilities on these properties were paid off and these properties were released. A letter from the concerned Bank dated 17.02.2017 is also available on page 169, where the Bank has affirmed having submitted the original property documents for onward delivery to legal heirs of Mrs. Rukhsana Maqbool. Learned counsel states that office objections have already complied with providing requisite forms No.30 and 31 and the no objection affidavits from other legal heirs that the title documents be handed over to the Petitioner have also been provided.

In the circumstances at hand, application is allowed. Nazir is directed to handover original title documents to the Petitioner after proper identification and upon following codal formalities.

JUDGE