

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI.**  
**HCA No. 432 of 2024**

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Dated \_\_\_\_\_ Order with signature of Judge.

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Fresh case

1. For order on CMA No.2597/2024
2. For order on office objection a/w reply as at A.
3. For order on CMA No.2598/2024
4. For hearing of main case
5. For order on CMA No.2599/2024

**04.10.2024.**

Mr. Abdullah Munshi, Advocate for the Appellant.

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1. Granted.

3. Granted subject to all just exceptions.

2,4-5.The Appellant has impugned the Order dated 02.10.2024 made by a learned Single Judge of this Court while exercising jurisdiction on the Original Side in Execution No.59 of 2019, with it thereby having been directed that the decretal amount deposited with the Nazir of this Court along with profit be released to the Decree Holders in the shares in which they inherit from the deceased, Nadeem Ahmed Ansari. On the face of it, such Order has apparently been made after having afforded the Appellant / JD time on earlier dates in view of the pendency of a Civil Petition for Leave to Appeal filed by the Judgment Debtor before the Supreme Court so as to allow for that matter to possibly be advanced towards obtainment of interim relief. In the absence of such a development, the learned Single Judge then proceeded in the matter so that the Decree may be satisfied. On query posed to

learned counsel as to the error or illegality afflicting the impugned Order in that regard, no cogent response was forthcoming and it was merely contended that further time ought to be granted for the Judgment Debtor to reasonably advance its case before the Supreme Court. However, under the circumstances, where the appeal against the impugned Judgment and Decree before this Court has been dismissed as far back as 10.04.2018, it is apparent that sufficient time has already lapsed and it is not a case where the learned Single Judge can be said to have acted in haste. That being so, the Appeal is found to be devoid of force and stands dismissed accordingly along with the pending miscellaneous applications.

**JUDGE**

**JUDGE**