

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
C.P. No.D-7540 of 2019

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DATE                      ORDER WITH SIGNATURE(S) OF JUDGE(S)

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1. For orders on office objection
  2. For hearing of Misc. No.33640/2019
  3. For hearing of main case
  4. For orders on Nazir's report dated 24.02.2020
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**26.02.2020**

Mr. Shabbir Hussain Memon, advocate for petitioner  
Mr. Muhammad Aminullah Siddiqui, Assistant Attorney General  
Mr. Khalid Rajpar, advocate for respondent

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Learned counsel for respondent submits that pursuant to Court's notice, subject vehicle has been produced before the Nazir of this Court.

Learned counsel for petitioner submits that under similar circumstances, provisional release of vehicles has been allowed through various orders passed by this Court and has placed copy of order dated 24.04.2019 passed in the case of Muhammad Usman Shah vs. Federation of Pakistan and another in C.P. No.D-3914 of 2017, therefore, requests that provisional release of the petitioner's vehicle in the instant petition may also be allowed in the similar terms as contained in the aforesaid order. Learned counsel for respondent as well as learned Assistant Attorney General could not controvert such factual position relating to provisional release of the subject vehicle.

Since in number of similar petitions, provisional release of the vehicles has already been allowed, subject to depositing the original documents of ownership/registration book of the subject vehicle before the Nazir of this Court with further direction to the petitioner not to create any third party interest in the subject vehicle till final decision in

the Reference Application, therefore, we see no reason to take a different view in the instant case.

Accordingly, instant petition is disposed of with directions to the respondents to allow provisional release of the petitioner's vehicle, which is subject matter of instant petition, however, subject to petitioner's depositing documents of ownership/registration book of the subject vehicle i.e. *Toyota Surf, bearing Registration No.G-2486, HD Chassis No.RZN215-0007415, Engine No.1755444, Registration Book No.NC646407*, before the Nazir of this Court along with undertaking to the effect that the petitioner will not create any third party interest in the subject vehicle till further orders or final decision in SCRA No.640 of 2019, whereas, Nazir may issue certificate to the petitioner to this effect. It is clarified that final release and possession of the subject vehicle's ownership documents and registration book shall be subject to further orders, as may be passed by this Court in SCRA No.640/2019, in due course of time, in accordance with law.

Petition stands disposed of in the above terms along with listed application.

J U D G E

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*Gulsher/PS*