

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Suit No.2559 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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1. For orders on CMA No.16710/2022 (urgent).
2. For orders on CMA No.9638/2022 (U/O 23 R-3 CPC).

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Dated 11.11.2022

Mr. Abdur Rahman, Advocate for the plaintiff.
Syed Danish Ghazi, Advocate for defendants No.1 & 2.

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1. Urgency granted.
2. Although this is a suit for administration but the plaintiffs also arrayed some of the official defendants i.e. defendants No.6 to 9 against whom this suit is being withdrawn as not pressed.

This suit for administration is being compromised; the detail terms of which have been reduced in writing in terms of family settlement agreement attached. In substance, the plaintiffs have relinquished their rights in the properties both moveable and immovable in favour of defendants No.3 and 4 who though are not in attendance but represented by an attorney i.e. Mrs. Shahnaz Zulfiqar Ramzi wife of Zulfiqar, who has filed an affidavit in support of the application. Her affidavit is available at page-63. Since the compromise encompass all properties disclosed in para-15 of the plaint, both moveable and immovable, I do not see any impediment in such amicable settlement of the properties as it is without coercion and influence, apparently. Compromise application as such is allowed. Let the decree be drawn accordingly.

JUDGE

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

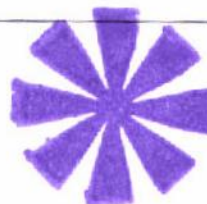
Suit No.2559 of 2021

Date _____ Order with signature of Judge _____

For orders on Nazir's Report dated 02.11.2023

14.11.2023

Mr. Farhan Khan, Advocate for Plaintiff
Mr. Syed Danish, Advocate for Defendant Nos.1 & 2



In compliance of order dated 11.11.2022, whereby compromise application was granted and decree was ordered to be drawn learned Nazir in his report dated 28.10.2023 has prepared the Sale Notice of the Subject Property to be auctioned i.e. Flat No.106, West Wind Estate, FL-11, Block-2, Clifton, Karachi. Counsel for Plaintiffs states that since the Plaintiffs had relinquished the properties in favour of the Defendant Nos.3 and 4, therefore, they have no concern with the same any more. Learned Counsel for Defendants No.1 & 2 states that he has no objection to the Sale Notice as prepared by the Nazir. However, since no one is present on behalf of Defendants No.3 & 4, the matter is adjourned. Office to relist after three weeks.


JUDGE

Rafiq/PA

Ⓡ
17/11/23

For order on Nazir report dt 02/11/23

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**ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Suit No.2559 of 2021**

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

For orders on Nazir's Report dated 02.11.2023

13.12.2023

Mr. Farhan, Advocate for Plaintiffs
Mr. Syed Danish Ghazi, Advocate for Defendants No.1 and 2



Mr. Farhan, learned Counsel for Plaintiff states that pursuant to the Compromise Decree dated 22.11.2022 their firm is representing not only the Plaintiffs but also Defendants No.3, 4 and 5. Both the Counsel state that they have no-objection to the sale notice as prepared by the Nazir. In the circumstances, Nazir is directed to proceed further. Adjourned.


JUDGE

Shakeel PS

For order on Nazir's report dt: 02/11/23

14/12/23 —————
For order on Nazir Report dt: 28/3/24

For order on cms. 6372/24 (Yusuf)

*This matter is already fix in
Court n 08/15/24*

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

Suit No.2559 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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For orders on CMA No.6322/2024 (if granted)

30.04.2024



Syed Danish Ghazi, Advocate for the Plaintiff.
Mr. Altamash Arab, Advocate for the Defendant.

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Urgent application is disposed of and case is directed to be fixed for 08.5.2024 the date already given by the office as date by Court.


JUDGE

SM

for order on Nazim report dt 29/3/24

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Suit No.2559 of 2021

Date	Order with signature of Judge
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For orders on Nazir Report dt. 29.03.2024.

08.05.2024.

None present for plaintiff.

Mr. Muhammad Aitezaz, advocate holding brief for Syed Danish Ghazi,
counsel for defendants No.1 and 2.

Listed Nazir report is taken on record subject to all just exceptions.

Since no one is in attendance on behalf of plaintiff, as an indulgence, the
matter is adjourned.




JUDGE

COMPROMISE DECREE

IN THE HIGH COURT OF SINDH AT KARACHI
(Civil Original Jurisdiction)

SUIT NO. 2559 OF 2021



1. **AMYN CURRIMBHOY**

Son of (Late) Salim Gulamali Currimbhoy, Muslim, adult, Resident of House No. 41/A, Street No. 19, Off Khayaban-e-Mujahid, Phase V, Pakistan Defence Officers Housing Authority, Karachi.

2. **SADRUDDIN CURRIMBHOY**

Son of (Late) Salim Gulamali Currimbhoy, Muslim, adult, Resident of 1130 Oak Glen Lane, Sugar Land, TX 77479 United States of America

Through his duly constituted attorney AMYN CURRIMBHOY

Son of (Late) Salim Gulamali Currimbhoy, Muslim, adult, Resident of House No. 41/A, Street No. 19, Off Khayaban-e-Mujahid, Phase V, Pakistan Defiance Officers Housing Authority, Karachi.

3. **SADIQ CURRIMBHOY**

Son of (Late) Salim Gulamali Currimbhoy, Muslim, adult, Resident of 16 Warenham Road, Singapore,

Through his duly constituted attorney AMYN CURRIMBHOY

Son of (Late) Salim Gulamali Currimbhoy, Muslim, adult, Resident of House No. 41/A, Street No. 19, Off Khayaban-e-Mujahid, Phase V, Pakistan Defence Officers Housing Authority, Karachi.

4. **KHAIRUNESSA RAFIQ DOSSANI**

Daughter of (Late) Salim Gulamali Currimbhoy, Muslim, adult, Resident of 12321 Ocean Park Boulevard, No. 15 Los Angles, CA 90064, California, United States of America,

Through her duly constituted attorney AMYN CURRIMBHOY

Son of (Late) Salim Gulamali Currimbhoy, Muslim, adult, Resident of House No. 41/A, Street No. 19, Off Khayaban-e-Mujahid, Phase V, Pakistan defence Offices Housing Authority, Karachi.....*Plaintiffs*



V..E..R..S..U..S

1. **MALEK SULTAN**

Daughter of (Late) Aziz Gulamali Currimbhoy

Muslim, adult, Resident of Flat No. 402, West Wind Estate, FL-11, Block 2, Clifton, Karachi.

2. **ALY ISMAIL**

Son of Abdul Hussain Ismail, Muslim, adult, Flat No. 402, West Wind Estate, FL-11, Block 2, Clifton, Karachi

3. **AMBER NAUREEN HUDA**

Daughter of Nizam Dean Huda, Muslim, adult, Resident of 2939 Capewood Lane, San Jose CA 95132 USA

4. **SHAWN ALI HUDA**

Son of Nizam Dean Huda, Muslim, adult, Resident of 2939 Capewood Lane, San Jose CA 95132 USA

5. **NAZIR CURRIMBHOY**

Son of (Late) Aziz Gulamali Currimbhoy, Muslim, adult, Resident of Flat No. 101, House No. 54, Road 84, Gulshan, Dhaka, Bangladesh.

6. **KARACHI DEVELOPMENT AUTHORITY**

A Statutory body as constituted under The provisions of the Karachi Development Authority Order, 1957 Through the Director Estate Enforcement, having its registered office at. Civic Center Karachi.

7. **PROVICE OF SINDH**

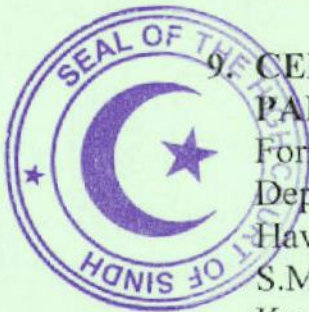
Through the; Registrar of Properties City Court, Karachi.

8. **SONERI BANK LIMITED**

A banking company Incorporated under the laws of Pakistan Through its Branch Manager, Clifton Branch, Shadman Centre, Block 7, Clifton, Karachi.

9. **CENTRAL DEPOSITORY COMPANY OF PAKISTAN LIMITED**

Formed under the provisions of the Central Depositories Act 1997 Through its Chief Executive Having its head office at CDC House, 99-B, Block B, S.M.C.H.S, Main Shakra-e-Faisal, Karachi.....*Defendants*



[Handwritten signature]

SUIT FOR ADMINISTRATION IN RESPECT OF ESTATE OF LATE AZIZ GULAMALI CURRIMBHOY

That in the facts and circumstances and in the interest of justice this Honourable Court may be pleased to:

A. APPOINT

- (i) The Nazir of this Honourable Court as administrator of the estate of the (Late) Aziz Gulamali Currimbhoy and direct him to mutate the share of each of the legal heirs with respect to the Subject Property in the records of the Defendant No.6 and Defendant No. 7;



B. RESTRAIN

- (i) The Defendants jointly and severally from creating any third party interests in respect of the assets of the (late) Aziz Gulamali Currimbhoy and from taking any action whatsoever that adversely affects the rights, title and interests of the Plaintiffs in the estate of the Deceased.

C. GRANT

- (i) Costs
(ii) Any other relief that this Honourable Court may deem fit in the facts and circumstances of the Subject Suit.

This Suit came up on 11-11-2022 for orders, before Hon'ble Mr. Justice Muhammad Shafi Siddiqui in presence of Mr. Abdur Rahman, Advocate for the plaintiff. Syed Danish Ghazi, Advocate for defendants No.1 & 2.



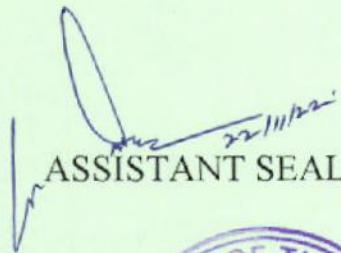
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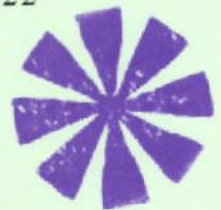
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who has filed an affidavit in support of the application. Her affidavit is available at page-63. Since the compromise encompass all properties disclosed in para-15 of the plaint, both moveable and immovable, I do not see any impediment in such amicable settlement of the properties as it is without coercion and influence, apparently. Compromise application as such is allowed.

(True copy of the compromise application annexed herewith shall form part of the decree)

Given under my hand and the seal of the Court this 22nd day of November 2022.


ASSISTANT SEALER:




25/11/22
JUDGE