

## **ORDER SHEET.**

### **IN THE ISLAMABAD HIGH COURT, ISLAMABAD.** **JUDICIAL DEPARTMENT.**

#### **Writ Petition No. 99/2021**

Sheikh Shahid Saadiq & another.

***Versus***

Sheikh Zahid Saadiq & others.

<b>S. No. of order/ proceedings</b>	<b>Date of order/ Proceedings</b>	<b>Order with signature of Judge and that of parties or counsel where necessary.</b>
(01)	14.01.2021	Barrister Talha Ilyas Sheikh, Advocate for the petitioners.

The petitioners are aggrieved by an order of the learned Civil Judge (West), Islamabad, dated 03.11.2020.

2. Learned counsel for the petitioners states that the petitioners filed a suit for specific performance in relation to plot No.249-A, Sector I-9 Industrial Area, Islamabad; that the agreement for purchase of the said plot is 42 million rupees; that the petitioners have paid of approximately 24 million rupees to respondent No.1 and remaining amount of approximately 17 million rupees deposited with the learned trial Court and that the petitioners moved an application before the learned trial Court seeking direction that the amount deposited in the Court be invested in some profit bearing government security scheme so that neither the petitioners nor respondent No.1 are deprived of profit on the sum deposited once the matter stands decided. Learned counsel for the petitioners further states that the learned trial Court by virtue of impugned order dismissed the said application without issuing notices and only by recording reasons that are perverse in law.

3. Issue notice to respondents No.1 & 3, who may file any comments if they so wish within two weeks but not later than 29.01.2021, with an advance copy to the learned counsel for the petitioners, who shall be at liberty to file rejoinder, if so desired, within a period of one week thereafter.

4. Re-list on 08.02.2021.

**C.M. No.01/2021**

Exemption sought for is allowed, subject to all just and legal exceptions.

**(BABAR SATTAR)**  
**JUDGE**

