

**ORDER SHEET**  
**IN THE ISLAMABAD HIGH COURT, ISLAMABAD**  
**JUDICIAL DEPARTMENT**

C.R. No.155/2019  
Mian Sohail Yaseen  
**Versus**  
Mst. Yasmeen Akhtar and others

S. No. of order / proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	25.04.2019	Mr. Muhammad Faisal Chaudhry, Advocate for the petitioner.

Through the instant civil revision petition, the petitioner, Mian Sohail Yaseen, impugns the order dated 06.03.2019, passed by the Court of the learned Civil Judge, Islamabad, whereby the schedule for the auction of House No.2351-A, Street 88, Sector I-10/1-4, Islamabad, measuring 125.2/3 square yards ("the suit property"), was announced.

2. Perusal of the said order shows that the auction schedule was announced after considering the report of the local commission to the effect that the suit property was not partitionable and its current market value approximately Rs.1,00,00,000/- to Rs.1,20,00,000/-.

3. The petitioner and respondents No1 to 4 are co-owners of the suit property. The petitioner, who is seeking to set-aside the auction schedule, is in possession of the suit property.

4. The sole contention raised by the learned counsel for the petitioner was that the petitioner should be given an opportunity to purchase the suit property, and that the learned Civil Court while fixing the auction schedule did not hold that the co-owners of the suit property would be entitled to be given their respective shares from the auction.

5. The impugned order was passed on 06.03.2019.

6. The dates fixed in the auction schedule for (i) notice to the parties and notice at the notice board of the Court, (ii) proclamation in the newspaper Daily Jang and Daily Khabrain, Islamabad, and (iii) affixation at a conspicuous place near the property and outside the Court, have already passed.

7. There is nothing preventing the petitioner from participating in the auction. In paragraph 2 of the impugned order, this right has already been given to the petitioner.

8. It goes without saying that since the petitioner and respondents No.1 to 4 are co-owners in the suit property, they would be entitled to receive their respective shares from the proceeds of the auction.

9. Finding no merit in this petition, the same is dismissed in *limine*.

**(MIANGUL HASSAN AURANGZEB)**  
**JUDGE**

Ahtesham\*