

**ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT MIRPURKHAS**

First Appeal No.S-18 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection.
2. For hearing of main case.

05.03.2026

Mr. Ghulam Nabi Meo, advocate for petitioner.
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Mr. Ali Hassan Chandio, advocate files Vakalatnama on behalf of the respondent, which is taken on record and he states that he is ready to argue the matter.

After arguing the matter at length, both the learned counsel, under the instructions of their respective clients, state that they would be satisfied if the matter is remanded back to the trial court with the direction to allow opportunity of recording evidence and pass a Judgment on merits strictly in accordance with law, subject to furnishing surety in the sum of Rs.13,75,000/- with the trial court within a period of one month from the date of passing of this order. Order accordingly.

In view of the above and by consent, the instant appeal is allowed and the impugned Judgment dated 29.03.2024 and decree dated 03.04.2024 passed by learned Additional District Judge-II, Mirpurkhas in Summary Suit No.41/2021 are set-aside and the matter is remanded back to the trial court to allow the appellant to file written statement and thereafter frame the issues, record evidence of both the parties and decide the matter on merits within a period of 60 days from the date of receipt of this Order, whereby no unnecessary adjournment shall be granted to any of the parties and the appellant shall deposit Rs.13,75,000/- with the trial court and compliance report be filed in this regard with the Additional Registrar of this Court.

The instant petition is disposed of in above terms.

JUDGE

Faisal