

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

Civil Revision Application No.S-80 of 2024

DATE ORDER WITH SIGNATURE OF JUDGE

1. For order on M.A No.1945/ 2019.
2. For order on M.A No.1946/ 2019.
3. For order on M.A No.1019/ 2011.
4. For hearing of main case.

14-01-2026.

Mr. Dilip J. Mulani advocate for the applicants.

Mr. Muhammad Essa Behan advocate for the attorney of private respondents.

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Learned counsel for the respondents No.1 and 2 has filed application under Order XXII Rule 4 C.P.C for impleading legal heirs of the respondent No.1 as party in this matter. Learned counsel for the applicants waives notice, received copy and, under instruction of his clients, has no objection to the grant of the same; hence said application is allowed. Office is directed to allot C.M.A number to the said application. Learned counsel for the applicants filed amended title sheet, which is taken on record.

Both learned counsel, after arguing the matter at length, under instructions of their respective clients, state that they would be satisfied if instant matter be remanded back to the learned trial Court for recording evidence and decision on merits within a stipulated time and subject to maintaining of status quo by the parties.

Accordingly, impugned judgment and decree dated 22-03-2011 passed in Civil Appeal No.11/2011 by the learned District Judge, Tharparkar @ Mithi and Order and decree dated 24-12-2010 passed in F.C.Suit No.87/ 2009 by the

learned Senior Civil Judge, Mithi are hereby set aside by consent of the parties with direction to the learned trial Court to frame proper issues and allow the parties to record their evidence and thereafter to pass Judgment on merits, preferably within a period of 90 days from the receipt of this Order. By consent of the parties and their counsel, the parties are to maintain status quo till final adjudication of the matter.

In view of above, instant Revision Application alongwith pending applications is disposed of in above terms with no order as to the costs.

JUDGE

Saleem