

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

2nd Appeal No.S-117 of 2025

DATE ORDER WITH SIGNATURE OF JUDGE

15.01.2026

None present for the appellants.

Mr. Fawad Saleem Baig advocate for the respondents.

Mr. Muhammad Sharif Solangi, A.A.G.

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After arguing the matter at some length, learned counsel for the respondents states that he would be satisfied if instant Appeal is allowed and matter is remanded back to the learned trial Court to decide the matter strictly on merits after framing of issues and recording of evidence within certain stipulated time.

Accordingly, impugned Judgment and Decree dated 08-04-2025 passed in Civil Appeal No.189/ 2024 by the learned Additional District Judge-II, Tando Adam, and Order dated 16-09-2024 passed in F.C.Suit No. 86/ 2024 by the learned Senior Civil Judge, Tando Adam are set aside and matter is remanded back to the learned trial Court with direction to decide the same on merits after framing of issues and recording evidence of the parties, preferably within three months from receipt of this Order.

In view of above, instant 2nd Appeal alongwith pending application is disposed of in above terms with no order as to costs.

JUDGE

“Saleem”

