

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Suit No. Nil of 2017

Date	Order with signature of Judge
------	-------------------------------

Fatima Tayab.....Plaintiff

Versus

Kanwal Shahzadi & others.....Defendants

- 1.For order on CMA No.11035/2017
- 2.For order on CMA No.11036/2017

10.08.2017

Mr. Ghulam Murtaza advocate for the plaintiff
Tatima Tayyaba, plaintiff is present
Kanwal Shahzadi, defendant is also present

1. Urgency granted.
2. This is a suit for specific performance, declaration and permanent injunction. The brief facts are that the plaintiff entered into an agreement to sell on 15.05.2017 with the defendant No.1 for purchasing double story bungalow No. EE-14/S/S, measuring 200 Sq. yards situated at Defence View, Deh/Dih Road, Nai Malir, Karachi in the total sale consideration of Rs. 2 Crore and 60 Lac only. Now, the plaintiff and defendant No.1 both are present in court and they have filed compromise application CMA No.11036/2017. The compromise application is supported by the personal affidavit of plaintiff and defendant No.1 duly verified by the Identity Section Management System (ISMS) of this court. To a query raised by this court as to whether the Bungalow in question is

in the name of defendant No.1? In response to this query, learned counsel has submitted the copy of sale deed executed by one Aijaz Ahmed in favor of Kanwal Shahzadi for the same bungalow. The copy of registered indenture of lease is also attached with the copy of registered sale deed. Along with compromise application, plaintiff and defendant No.1 have also attached the compromise deed dated 08.08.2017 in which they have settled a modality for amicable settlement and also mentioned some pay orders numbers for the payment which has been made to the defendant No.1 and the remaining balance amount is also mentioned in paragraph No.10 of the compromise deed which will be paid within ninety (90) days from the date of compromise before the concerned Registrar at the time of executing conveyance deed in favor of the plaintiff. Since the parties have already settled the dispute amicably, application is allowed. The suit is decreed in terms of compromise. Office is directed to prepare the decree and certified true copy of compromise deed attached with the application be formed the part of the decree. This will be subject to deposit of requisite court fee by the plaintiff within seven (07) working days. However, the suit against the defendant NO.2 & 3 is dismissed.

JUDGE

Aadil Arab