

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Suit No.2265 of 2017

Date	Order with signature of Judge
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For orders on CMA No. 14785/2017

27.10.2017

Mr. Hasssan Akber, Advocate for Plaintiffs.

Rahat Aziz son of Abdul Aziz attorney of the plaintiff is also present

Mr.M.Imtiaz Khan, Advocate for the defendant Nos.1 and 2.

Muhammad Muzaffar Khan sonof Muhammad Ghous Khan attorney of the defendant Nos.1 and 2 is also present.

Rahat Aziz son of Abdul Aziz attorney of the plaintiffs is present. The original special power of attorney is available on record, wherein certain powers have been given to the attorney by his principal including to enter into compromise. The attorney of defendant Nos.1 and 2 Muhammad Muzaffar Khan son of Muhammad Ghous Khan is also present. The original special power of attorney is available on record in which certain powers including the power to enter into compromise/settlement is also mentioned. Along with urgent application the plaintiffs and defendant Nos.1 and 2 have jointly filed the CMA No.14785/2017 wherein certain modalities have been settled to

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culminate the dispute between them. This suit was filed for recovery of Rs.319,265,538/- along with markup and damages Rs.100 million, however, the parties have resolved the matter. The compromise application has been signed by plaintiffs' attorney and Advocate for the plaintiffs as well as attorney of defendant Nos.1 and 2 and their counsel. They have also argued that no relief has been claimed against the defendant No.3 therefore, suit against the defendant No.3 may be dismissed as withdrawn. The suit is decreed against the defendant Nos.1 and 2 in terms of compromise application, whereas the suit against the defendant No.3 is dismissed as withdrawn. However, in para 6 some FIR and complaints/pending criminal proceedings have been referred to, which the plaintiffs undertake to withdraw. It is clarified that for withdrawal or disposal of such cases the parties shall act in accordance with law and approach the concerned courts for the relief.

Judge

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