

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Suit No. 830 of 2017

Date	Order with signature of Judge
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1. For order on CMA No.3925/2018
2. For order on CMA No.3926/2018

14.03.2018

Qazi Hifz-ur-Rehman advocate for the plaintiff.
Mr. Khursheed Javed advocate for the defendant.
Syed Abdul Khair, attorney of the plaintiff is present.
Muhammad Javed, defendant is also present.

1. Urgency granted.
2. Mr. Khursheed Javed advocate has filed vakalatnama for defendant which is taken on record. This is a suit for specific performance of contract, permanent injunction and recovery of damages in relation to shop No.3 situated at ground floor of building constructed on plot No. 8-F, Muhammad Ali Cooperative Society, Karachi. At this stage, learned counsel for the plaintiffs pointed out that he has already moved an application which was presented on 25.09.2017 under Order VI Rule 17 C.P.C for making some amendment in the plaint in which due to typographic error instead of plot No. 18-F, plot No. 8-F has been typed. Since it seems to be a typing mistake, therefore, learned counsel for the defendant has no objection. By consent this application is allowed. Office is directed to correct the plot number in the plaint with red ink and also directed to mark CMA number on application moved under Order VI Rule 17 C.P.C which has been disposed of today.

Now, I would like to take up the compromise application (CMA No.3926/2018). Learned counsel for the defendant produced in court mutation letter issued by Moulana Mohammad Ali Jauhar Memorial Cooperate Housing Society Limited on 15.12.2005 to show the ownership of commercial property No.18-F measuring 219 Sq. Yards vests in Muhammad Javed (defendant). In form PT-I also his name is reflected as owner of the above property. The parties have agreed to certain modalities to resolve the dispute amicably. The plaintiff is being represented by his attorney Syed Abdul Khair. The power of attorney is available in which attorney has been authorized to enter into compromise. The compromise application is supported by the affidavit of attorney of plaintiff and the affidavit of defendant duly verified by Identity Section Management System (ISMS) department of this court. In view of the above situation, this suit is decreed in terms of compromise.

JUDGE

Aadil Arab

