

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

Suit No.1170 of 2008

Date

Order with signature of Judge

1.For orders on CMA No.4868/2018.

2.For orders on CMA No.4869/2018.

30.03.2018

Qazi Hifzur Rehman, Advocate for Plaintiffs a/w
Plaintiff No.4 Muhammad Abid.

Mr. Khursheed Jawed, Advocate a/w
Defendant No.4 Muhammad Javed.

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1. Urgent application filed by counsel for the plaintiffs is granted.

2. This is a suit for specific performance of contract, damages and permanent injunction. The plaintiff Nos.1 to 3 and 5 to 7 are being represented by plaintiff No.4 Muhammad Abid who is present in court. The original power of attorney is available in the evidence file of this suit, however, I noted that the name of plaintiff No.2 is Abdul Wahid, but in the power of attorney it is typed as Abdul Washid. The plaintiff No.4 and his counsel they both categorically stated that this is a typing mistake and the actual name of plaintiff No.2 is Abdul Wahid. This statement is taken on record and in case of any false statement, the plaintiff No.4 shall be responsible. The

defendant Nos.1 and 2 have been declared ex-parte, whereas the defendant Nos.3 and 4 are already debarred, however, the property in question has been transferred in the name of Muhammad Jawed son of Abdul Qadir (defendant No.4). Despite debarring the defendant No.4, he has entered into a compromise with the plaintiffs and is present in court. Certain terms and conditions have been jot down in the compromise application to resolve the dispute amicably. The compromise application is supported by the affidavit of plaintiff No.4 Muhammad Abid for self and as attorney of the remaining plaintiffs, whereas the affidavit of defendant No.4 Muhammad Javed is also attached. Both affidavits are duly verified by the Identity Section Management System (ISMS), department of this court. This suit is decreed in terms of compromise between the plaintiffs and the defendant No.4. Pending applications are also disposed of.

Judge

Asif