

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI
Suit No.509 of 2015

Date	Order with signature of Judge
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- 1.For orders on CMA No.16499/2017.
- 2.For orders on CMA No.16500/2017.

06.12.2017

Mr.Noman Jamali, Advocate for the Plaintiff
Plaintiff is also present in person.
Mr.Abdul Ghani Jokhio, Regional Director, Katchi Abadies is
also present in person.

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1. Urgent application filed by the plaintiff is granted.
2. This is a suit for declaration, permanent injunction, rectification of lease and damages. The order dated 13.10.2016 passed by this court on CMA Nos.5203/2015 and 9589/2015 was challenged by the defendant No.2 in HCA No.77/2016. Learned counsel for the plaintiff has filed this application (CMA No.16500/2017) under Order 23 Rule 1 CPC for the withdrawal of the suit in view of the order passed in HCA No.77/2016 on 30.8.2017. The copy of order is attached which shows that on joint statement filed by the appellant and respondent No.1 (plaintiff in this suit) on certain terms and conditions the appeal was disposed of and in paragraph 6 of the order, reference of this suit has also been given. Mr.Abdul Ghani Jokhio, Regional Director, Katchi Abadies Authority was also

present in person in H.C.A. and today he is present in this suit and conveys his no objection for the withdrawal of the suit. Learned counsel for the plaintiff pointed out Nazir's report dated 24.5.2016 wherein in pursuance of the order passed by this court on 13.2.2016 the plaintiff furnished surety by depositing the title documents of immovable property i.e. Form "B" Lease in respect of plot/House No.7, Zulfiquar Street No.12, Khayaban-e-Qasim Phase-VIII, DHA, Karachi. Learned counsel for the plaintiff requests that since the suit is being withdrawn, therefore, the surety documents may be released. Mr.Abdul Ghani Jokhio, Regional Director, Katchi Abadies Authority has no objection. The Nazir may release the documents on proper verification and identification. The suit is disposed of in the above terms along with pending application.

Judge