

## ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

**Suit No.1233 of 2011**

| Date | Order with signature of Judge |
|------|-------------------------------|
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- 1.For orders on CMA No.2766/2018.
- 2.For orders on CMA No.2767/2018.

**23.02.2018**

Mr. M. Zafar Alam, Advocate for the Plaintiff  
a/w Plaintiff Mrs. Noushaba Sarfaraz.  
Defendant No.3 Mrs. Samina Arshad,  
Defendant No.4 Saad Uzair and Defendant No.5  
Faiz Saleh are present in person.

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1&2. This is a suit for administration, partition, rendition of accounts and permanent injunction between the plaintiff and the defendants for the estate left by deceased Zia Bano. The defendant No.1 was the husband of the deceased Zia Bano who has expired, whereas the plaintiff and remaining defendants are sons and daughters of deceased Zia Bano. The defendant No.2 is presently in Australia and he is being represented by Mrs. Samina Arshad (defendant No.3). The copy of special power of attorney is available on the court record. The plaintiff has moved the urgent application alongwith CMA No.2767/2018 under Section 151 CPC in which she wants to withdraw this suit on the ground that the legal heirs have settled the dispute amicably outside the court and now they want to file SMA for only one uncontentious property, therefore, they want to withdraw

this suit. The defendant No.1, who was the father of the plaintiff and defendants has expired, whereas three defendants Mrs. Samina Arshad, Saad Uzair and Faiz Saleh present in court confirm this statement that the matter has been amicably resolved. In view of the joint statement, this suit is disposed of accordingly with the permission to file SMA, if any, required. Pending applications are also disposed of.

Judge

Asif