

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI

**Suit No. 768 of 2016**

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Order with signature of Judge(s)

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1. For orders as maintainability of CMA No.11215/2018
2. For orders on CMA No.1755/2018

**11.09.2018**

Mr. Abdul Qadir Mirza, Advocate for the Plaintiff  
Mr. Zia Awan, Advocate for Defendant No.1  
Mr. Asad Iftikhar, Advocate for Defendant No.2  
Mr. Shahjee Siddiqui, Advocate for Defendant No.6  
alongwith Mr. Imdad Ali, Advocate  
Mr. Muhammad Altaf, Advocate for Defendant No.7

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1. Through instant application mad under Order XXIII Rule 3 CPC, Court has been informed that the parties have amicably settled their disputes. However, a perusal of the application suggests that the respective shares as agreed between the parties which the Court was informed being available at Page-7 are not made part of the instant compromise application. For good order sake and to bring certainty to the outcome, the counsel agreed to include respective shares as a part of the instant application.

Counsel for Defendant No.2 had no knowledge of the instant move. Thus, before making a revised application, the counsel are directed to provide a copy in advance to the counsel for Defendant No.2. Fifteen days' time is given to complete this exercise. Counsel suggests that some of the legal heirs are resident abroad therefore they may not be available to appear for swearing the affidavits.

In these circumstances, let the settlement agreement be signed by the respective parties at the place of domicile however the signature be notarized at the place of domicile.

JUDGE