

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

R.A No.59 of 2017

Date	Order with signature of Judge
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Hearing/Priority Case

1. For orders on CMA No.3879/2018
2. For hearing of CMA No.4868/2017
3. For hearing of CMA No.4870/2017
4. For hearing of main case.

26.10.2018

Mr. Badar Alam, advocate for the applicant.

Yesterday after hearing learned counsel for the parties at length I have decided to dismiss this Revision for reasons to be followed, however, on hearing the order of dismissal, learned counsel for the applicant in view of pendency of execution application has requested that his client may be given time to vacate the premises since they are old ladies. This case was adjourned for today to be taken up at 11:00 am so that reasonable time may be granted to the applicant for vacating the premises.

Today unfortunately none is present on behalf of the Respondent. Learned counsel for the applicant has sought one year time for his clients to vacate the premises bearing House No.A-33, Street No.3, Block-1, Gulshan-e-Iqbal, Karachi admeasuring 240 sq. yards as mentioned in the judgment and decree. Nobody is present for the Respondent and in my humble view since the litigation has been pending since 2003 and the parties have contested the matter at the level of Hon'ble Supreme Court, therefore, after almost 15 years one year time cannot be granted. However since nobody is available for Respondent to comment on the request of the applicant, eight (08) months' time is granted from today to the applicant to

vacate the premises peacefully and handover the possession to the Respondent. After obtaining possession by the Respondent and after handing over possession by the applicant, such a statement be placed on record before the executing Court seized of execution application No.59/2010 in the Court of VII-Senior Civil Judge, East Karachi for appropriate orders regarding satisfaction of the said execution proceedings.

With the above observations, this Revision Application is disposed of alongwith pending applications.

JUDGE

*Ayaz Gul/PA**