

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
I.A. No.124 of 2017

Date Order with signature of Judge

Hearing cases

- 1.For orders on CMA No.3104/2019.
- 2.hearing of Main Case.

17.01.2020

Mr. M. Akbar Awan, Advocate a/w Appellant.
Raja Mohammad Khalil-uz-Zaman, Advocate a/w
Respondent No.4.

Appellant Sheraz Akhtar Siddique is present with his counsel Mr. Muhammad Akbar Awan, Advocate. Respondent No.4 Raja Sajid Iqbal Khan is present with his counsel Raja Mohammad Khalil-uz-Zaman, Advocate. This first appeal is arising out of judgment and decree passed in Summary Suit No.14/2010 by the Vth Additional District Judge, Karachi-South whereby the suit filed by the present appellant was dismissed. During pendency of this appeal, an application has been filed under Order 23 Rule 3 CPC with the statement that the respondent No.4 is widower of the deceased Mst. Shahla Jalal who had allegedly issued a cheque which was dishonoured by the bank thereafter the summary suit was filed. He is also general attorney of respondent Nos.1 to 3 who are also legal heirs of deceased Mst. Shahla Jalal. Both power of attorneys are already available on record. In fact through this application the respondent No.4, who is present in court in his personal capacity as well as the attorney of respondent Nos.1 to 3 categorically stated that he will satisfy the claim of the appellant

within three months from the date of disposal of this appeal. The application is also supported by the affidavits of Sheraz Akhtar Siddique (appellant) and Raja Sajid Iqbal Khan (respondent No.4) which are duly verified by the Identity Section Management System (ISMS), department of this court. Since the parties have resolved the matter and the respondent No.4 has agreed to satisfy the claim of the appellant in the sum of Rs.12,50,000/-for which the suit was filed in the summary proceedings, therefore, this appeal is disposed of accordingly.

Judge

Judge

Asif

