

## IN THE HIGH COURT OF SINDH AT KARACHI

Suit 1180 of 2019 : Azra Ishrat & Another vs. Imran Wahab & Others

For the Plaintiffs : Mr. Mohamed Vawda  
Advocate  
Ms. Tahreem Aijaz Qureshi  
Advocate

For the Defendants 1 & 3 : Mr. Arshad M. Tayebaly  
Advocate

Date of Hearing : 04.02.2020

Date of Announcement : 04.02.2020

### ORDER

**Agha Faisal, J.** This suit has been filed under Section 20 of the Arbitration Act, 1940 ("Act"), whereby the plaintiff is seeking a reference to arbitration, in enforcement of the arbitration agreement / arbitration clause. While the matter is listed for hearing of CMA 9806 of 2019, learned counsel jointly submit that this suit may be disposed of upon mutually agreed terms.

2. In view of the partnership deed, subject matter herein, learned counsel for the defendants No.1 and 3 submits, on instructions, that they have no cavil if this matter is referred to the arbitration for determination of any disputes between the parties.

3. Learned counsel for the plaintiffs points out written statements, filed by the defendants No.2 and 4, wherein the existence of the arbitration agreements / clause has been admitted.

4. By consent of the parties present, and in view of the foregoing, this suit is allowed in terms appearing herein below:

A. The matter is hereby referred to the arbitration, to be conducted by Mr. Taha Alizai, Advocate as sole arbitrator, upon fee to be settled by the learned arbitrator.

- B. The parties may file their statement of claim, reply and counter claim, if any, before the learned arbitrator, where after the learned arbitrator shall determine the dispute between the parties in accordance with the law, preferably within the period of three (03) months.
  
- C. Pending applications are hereby disposed of with directions that status quo shall be maintained with respect to the suit property till the rendering of the award.

JUDGE