

ORDER SHEET  
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

R.A. No.165 of 2020

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For hearing of C.M.A. No.32/2021 (stay)
2. For hearing of main case

**08.03.2021**

Mr. Altaf Sachal Awan advocate for applicant.

Mr. Allah Bachayo Soomro, A.A.G.

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F.C. Suit No.193 of 2018 for specific performance, possession and injunction (page 55) was filed by the present applicant mainly against present respondent No.1 wherein official respondents were also cited as defendants. Vide order dated 27.11.2018, learned trial court directed the applicant / plaintiff to deposit the admitted balance sale consideration of Rs.1,300,000.00 in court within thirty (30) days. Compliance of the aforesaid order was not made by the applicant and instead he filed an application after eleven (11) months of passing of the aforesaid order seeking permission to deposit the above mentioned balance sale consideration. The said application was dismissed by the trial court vide impugned order dated 23.11.2019 (page 63) and the Suit filed by the applicant was also dismissed. The above dismissal was challenged by the applicant in Civil Miscellaneous Appeal No.07 of 2019 which was also dismissed by the learned appellate court vide impugned order dated 22.10.2020 (page 19).

After making submissions at some length, learned counsel for the applicant states that applicant does not wish to press the present revision application as he intends to avail his remedy against respondent No.1 by initiating recovery proceedings against him for recovery of advance part-payment of Rs.700,000.00 made by him to respondent No.1. In view of the above, this revision application and listed stay application are dismissed as not pressed with no order as to costs leaving the applicant at liberty to avail his remedy, if any, before the competent forum in accordance with law.

J U D G E



