

ORDER SHEET
HIGH COURT OF SINDH, KARACHI
High Court Appeal No. 407 of 2006
High Court Appeal No. 408 of 2006

Date: Order with signature(s) of Judge(s)

1. For hearing of CMA No. 879/2022
2. For hearing of CMA No. 1208/2007
3. For hearing of CMA No. 1862/2006
4. For regular hearing

30.11.2023

Mr. Muhammad Vawda, advocate for the appellant

Mr. Mir Saifullah advocate holds brief for Mr. Inayatullah Morio, advocate for the applicant intervener

Mr. Vawda, learned counsel for the appellant has taken us to Para-17 of the impugned judgment which reads as under:-

“Before parting with the judgment, it may be observed that in the event of acquisition of valid title by the plaintiffs, they shall at liberty to file fresh suit”

It seems that during pendency of this appeal allegedly, as claimed, the land was regularized and in consequence whereof a suit was filed by the successor of the appellant hence it is claimed that since their declaration as to their title is pending adjudication these appeals have served its purpose and would not cause any prejudice to the proceedings initiated by the successor of the appellant while proceeding commenced in the suit. With this understanding these two appeals are not pressed and are dismissed / withdrawn. Office is directed to place copy of this order in connected matter.

JUDGE

JUDGE