

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**

**Ist Appeal No. 74 of 2020**  
**Ist Appeal No. 75 of 2020**

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Date	Order with signature of Judge.
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1. For orders on CMA No.5654/2023
2. For order on CMA No.5655/2023
3. For hearing of CMA No.542/2022
4. For order on office objection / reply "A"
5. For hearing of main case
6. For hearing of CMA No.2865/2020

**07-12-2023**

Mr. Jahangir Khan advocate for the appellants along with appellants in both the appeals

Respondent No.1 Arshad Iqbal in Ist Appeal No. 74 of 2020 is present in person

Respondent No.1 Tahir Ahmed Khan in Ist Appeal No. 75 of 2020 is present in person

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1. Urgency granted.
2. These appeals were filed against judgment passed in Summary Suit No.91/2019 and Summary Suit No.148/2019, when these appeals were preferred the decretal amount was ordered to be deposited which was then ordered to be invested in profit bearing scheme. Today, an application under Order 23 Rule 1 CPC was filed along with some attachments/ agreement that there is an out-of-Court settlement between the appellants and respondent No.1 in both the appeals.

Respondent No.1 in both the appeals have separately filed their affidavits in support of the application under Order 23 Rule 1 CPC wherein they have categorically stated that they have settled their matter out of court and in terms of Para-5 of the affidavit, they have received the amount of

Rs.30,00,000/- (Rupees Thirty Lac Only) as full and final settlement, whereas amount deposited in Court be released to the appellants on which they have extended their no-objection. Consequently, both these appeals are dismissed as withdrawn along with pending application(s) and as agreed in terms of the agreement and affidavit in support thereto filed today the amount along with interest deposited with the Nazir be released on proper verification and identification. Office is directed to place copy of this order in connected matter.

JUDGE

JUDGE

Amjad