

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Civil Revision No.S-99 of 2024

(Syed Mouj Ali Shah & another v. Muhammad Ismail & others)

Date of Hearing: **11-11-2024**

Date of Decision: **11-11-2024**

Mr. Mehmood Anwar Hussain Baloch, Advocate for applicants.
Mr. Deedar Ali Chohan, Advocate for respondents No.5(i),a,b,c,d&e.
Mr. Ghulam Murtaza, Advocate for respondent No.5(i)(b).
Mr. Asfandyar Kharal, Assistant A.G Sindh.

ORDER

Zulfiqar Ahmad Khan J.- To respond to this Court's question as to the maintainability of this Civil Revision, as reflected in order dated 07.10.2024, counsel for applicants has placed reliance on the judgment of Supreme Court reported as *Bashir Ahmad Khan v. Qaiser Ali Khan and others* (**PLD 1973 Supreme Court 507**) to show that the Civil Revision in such matter is also permissible.

Be that as it may, counsel for the respondents suggest that they have no objection if this Civil Revision is disposed of with directions to the trial Court to proceed with the Civil Suit No.83 of 2020 (re: *Syed Mouj Ali Shah & another v. Muhammad Ismail & others*) from the point it was so standing when impugned orders were passed. Accordingly, this Civil Revision is **disposed of** along with pending application(s) with directions to the trial Court to proceed with the matter from the point when impugned orders were passed and frame the issues, hear the parties and decide the case on merits. To complete such exercise, the trial Court, with mutual consent, is given six months' time.

Counsel for respondents have undertaken that the applicants will not be dispossessed from the suit property till judgment of the trial Court comes. It is left for the trial Court to decide whether Government is necessary party or not and if it is so, the same be included in the list of the parties.

JUDGE