

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI



FRA NO.39/2017

Date

Order with signature of Judge

21.02.2019

Mr. Saleeha Naeem advocate for appellant.
Mr. Raghیب Baqi advocate for respondents.
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After hearing the parties at length, they have reached a compromise in terms that :-

1. Appellant is ready to purchase the demised premises with sale consideration of Rs.42,00,000/-; he has already issued a cheque of Rs.300,000/- in favour of respondents which has not been encashed by them, however in terms of this compromise they would be competent to encash the same towards part payment of sale consideration.
2. Appellant shall pay Rs.20,00,000/- on or before 03.03.2019 to Muhammad Sameer Qureshi through pay order and remaining amount of Rs.19,00,000/- shall be paid on or before 04.04.2019 through pay order. In case of failure with regard to any payment, earlier amount paid by the appellant shall be forfeited in favour of the respondents. Besides in case of non-compliance of this order, Nazir shall be competent to ensure that possession is handed over to respondents No.1 to 3 after one week of such non-compliance even without notice to the appellant.
3. Appellant shall not pursue his suit for specific performance before civil court.
4. After receipt of full payment, subject matter property shall be transferred by the respondents in favour of Jahanzaib Khan



who shall bear all expenses in respect of such transfer. In case of any hindrance, Nazir would be competent to facilitate the parties in respect of transfer.

In terms of above compromise, parties shall file joint statement on next date of hearing. To come up on 06.03.2019 at 12.30 p.m. for maturation.

JUDGE

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Priority

- ① For Hg of CMA NO 9767/11.
- ② For Hg of Main case

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