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ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

IInd. Appeals No.05 and 06 of 2016

Farooq Ahmed & others  
Versus  
Saifullah & others

Date	Order with signature of Judge
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Dated: 08.02.2018

Mr. Muhammad Ishaque Memon for appellants.  
Mr. K.A. Wahab for respondent No.1

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Urgency granted.

There were two suits, one filed by appellants and the other by respondent No.1 for declaration, cancellation, mandatory and permanent injunction and for possession, injunction and mesne profits respectively. Initially both the suits were dismissed by the trial Court whereas appellate Court reversed the findings as far as the suit of Saifullah/respondent No.1 is concerned and it was decreed by the appellate Court whereas appeal of the appellant was dismissed hence these two Second Appeals have been preferred by the appellants.

The parties have now settled their disputes amicably out of the Court and have filed respective compromise applications in both the appeals for their disposal on such terms as incorporated in the compromise application. The applications have been signed by the appellant No.1 for self and as attorney of appellants No.2 and 3 on the basis of Power of Attorney, available on record, who was authorized to enter into a compromise, and so also by respondent No.1. The terms of compromise seem to be within the frame of the suit and litigation amongst them.

Accordingly, the compromise applications in both the suits are allowed and the appeals are disposed of along with pending applications in the terms as incorporated in compromise applications. Let the decree be amended accordingly, without prejudice to right of any other party not here.

  
Judge

201

10/10





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**IN THE HIGH COURT OF SINDH AT KARACHI**

**Ind. Appeal No.05 of 2016**

Farooq Ahmed & others.....Appellant

**VERSUS**

Saifullah & others.....Respondents

**Ind. Appeal No.06 of 2016**

Mst. Fakharunisa & others.....Appellant

**VERSUS**

Saifullah & others.....Respondents

Dated: 08.02.2018

Mr. Muhammad Ishaque Memon for appellants.

Mr. K.A. Wahab for respondent No.1

Urgency granted.

There were two suits, one filed by appellants and the other by respondent No.1 for declaration, cancellation, mandatory and permanent injunction and for possession, injunction and mesne profits respectively. Initially both the suits were dismissed by the trial Court whereas appellate Court reversed the findings as far as the suit of Saifullah/respondent No.1 is concerned and it was decreed by the appellate Court whereas appeal of the appellant was dismissed hence these two Second Appeals have been preferred by the appellants.

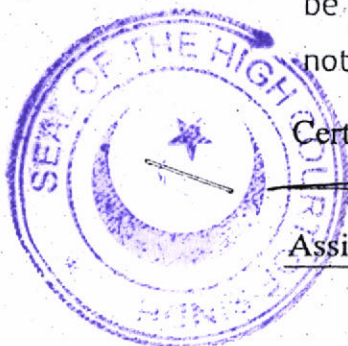
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Accordingly, the compromise applications in both the suits are allowed and the appeals are disposed of along with pending applications in the terms as incorporated in compromise applications. Let the decree be amended accordingly, without prejudice to right of any other party not here.

**Sd/-MUHAMMAD SHAFI SIDDIQUI  
JUDGE.**

Certified to be true copy,

10/2/2018  
Assistant Registrar (Civil/Writ SB)





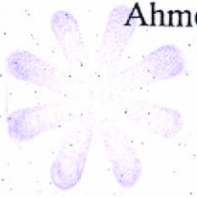
Ind Appeal No.05 and 06 of 2016.

Karachi, dated: 10th February, 2018.

Forwarded for information and compliance to:

1. The IXth Additional District Judge, Karachi (East) in Civil Appeal No.378 of 2010 Reg. Saifullah v/s Mst. Fakharunnisa & others along with original R & Ps No. 378/2010, and in Civil Appeal No. 379 of 2010 Reg. Saifullah v/s Farooq Ahmed Patoli & others along with original R & Ps No. 379/2010.
2. The VIIth Senior Civil Judge, Karachi (East) in Civil Suit No. Leading Suit No.1441 of 2002, Counter Suit No. 256 of 2006 Reg. Saifullah v/s Farooq Ahmed Patoli & others.

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(Abdul Rasheed Baloch)  
Assistant Registrar (Civil / Writ SB)