

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

R.A. No.40 and 41 of 2017

Date: Order with signature of Judge

Dated: 28.02.2018

Mr. Moulvi Iqbal Haider for applicants.

The suit for specific performance of the applicants were dismissed and so also the appeals being barred by time hence the applicants have preferred these revision applications challenging the orders of the appellate Court passed in the appeal which were barred by time. An attempt has been made to obtain a compromise decree under order 23 rule 3 CPC. Since the suits were dismissed followed by dismissal of appeals, as being barred by time, the scope of these revision applications can hardly be extend to a compromise decree in terms of order 23 rule 3 CPC. In case the parties have entered into such negotiation, as mentioned in the compromise application, that may be an out of court settlement. The applicants can however withdraw these revision applications in view of out of Court settlement. Accordingly, the applications under order 23 rule 3 CPC are being treated to be under order 23 rule 1 CPC and the same are allowed and the revision applications are dismissed as withdrawn.

Judge