

ORDER-SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA

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2nd Civil Appeal No. 3- 03 of 2022.

Date of hearing	Order with signature of Judge
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08.04.2024.

1. For order on office objection.
2. For orders on C.M.A. No. 103/2022. (Exemption Application)
3. For hearing of main case.
4. For order on C.M.A No. 104/2022. (Stay Application).

Mr. Abdul Ghaffar Shaikh, Advocate for the appellant.
Mr. Oshaq Ali Sangi, Assistant Attorney General
Mr. Nadeem Ahmed Qureshi, Advocate for respondent No.1.

Through this second civil appeal, appellant Mushtaq Hussain Shaikh has called in question judgment and decree dated 04.11.2021 passed in Civil Appeal No.25 of 2021 by learned Additional District Judge-III, Larkana, challenging the Order dated 02.03.2021 passed by learned 1st Senior Civil Judge, Larkana in F.C. Suit No.33 of 2021, whereby plaint of suit for Declaration and Perpetual Injunction filed by appellant was rejected Under Order VII Rule 11 CPC.

Both the parties after arguing the matter at some length agreed for disposal of the captioned civil appeal in terms that the application filed by the appellant before the competent authority of Pakistan Railways be decided regarding renewal of lease already granted in favour of the appellant, which was later on cancelled after expiry period, within a reasonable time.

In view of above statement of the parties this second civil appeal is disposed of along with listed applications as not pressed by directing the competent authority of Respondents/ Railways authorities to decide the pending application of the appellant, on merits, if any on the subject issue, within one month.

Judge