

ORDER SHEET

IN THE HIGH COURT OF SINDH AT KARACHI

Suit No.1939 of 2010

Date Order with signature of Judge

For hearing of CMA 11016/2013.

29/10/2013:

Mr. Arshad Hussain Khan, for plaintiffs.
Ms. Shahida holding brief for Ch. A. Rasheed, for
defendants Nos.1&2.
Ms. Naheed Naz, for State.

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The listed compromise application was filed in the office on 02.10.2013 and placed in Court alongwith an application for urgent hearing on 24.10.2013 when all the executants/signatories of the Deed of Compromise and Settlement dated 02.10.2013 were present. On the said date, the parties were directed to file their respective affidavits, duly sworn before the Assistant Registrar-II, Affidavit & Identity Branch of this Court. The above exercise was done, however, since there was a reference with regard to J. Misc. Nos.71 and 72 of 2011 in paragraph 4 of the Deed of Compromise & Settlement, therefore, it was ordered that at-least counsel for applicant in both the said J. Misc. Applications be present in Court.

Today, Mr. Abdul Wajid Wyne, advocate for applicants in both the J. Misc. Applications, who are plaintiffs in this and Suit No.1941/2010, is present and submits that under instructions from his clients he will not press J. Misc. Application No.71 of 2011 against respondents Nos.1&2 and J. Misc. Application No.72

of 2011 against respondents Nos.1 to 3. He submits at the bar that accordingly he will file amended titles in both the J. Misc. Applications for deletion of their names from the array of respondents. Since the parties have appeared in person before this Court and while admitting the contents of the Deed of Compromise & Settlement have verified their signatures/thumb impressions on the same, there appears no legal impediment if the suit is decreed in terms of Deed of Compromise & Settlement dated 02.10.2013.

Consequently, listed application is allowed. The Suit is decreed in terms of Settlement of Compromise and Settlement dated 02.10.2013.

Judge

Ayub