

IN THE HIGH COURT OF SINDH AT KARACHI

Suit No. 781 of 2007

Date

Order with signature of Judge

For examination of the parties/settlement of issues.

20/11/2013:

Mr. Saleem-uz-zaman, Advocate for the plaintiff.

Mr. Tariq Ghani Mansoori, Advocate for Defendant No.2.

Mr. Imran Taj Advocate holding brief for Khawaja Shamsul Islam, Advocate for Defendants No.5 to 16.

-----

In view of the order passed in High Court Appeal No.315 of 2008 arising out of order passed in the present suit the proceedings of this suit are stayed pending the disposal of Suit No.1 of 1993 in view of following observations made in HCA No.315 of 2008:-

“Mr. Shams learned counsel for the private Respondent states that since before filing of the suit third party interest has already been created and nothing remains with them to be further encumber. It is urged that claim of the appellant on merits is yet to be adjudicated in Suit No.01/1993 and the instant suit is continuation of suit above. It may be observed that since the claim of the appellant is still in cloud. Fate of instant suit hinges on the decision of the suit No.1/1993. The decision in suit No.1/1993 will set the controversy as to title of the appellant at rest. It is therefore, we deem appropriate to direct that learned Trial Court may proceed with suit No.01/1993 and decide the same expeditiously without delay. Mr.Shams undertakes that respondent represented by him will not seek any adjournment in the matter. CDGK shall also ensure to produce the witness and record the evidence if remains.”

JUDGE