

**ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD.**

IInd: Appeal No.12 of 2008.

DATE	ORDER WITH SIGNATURE OF JUDGE
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12.08.2014.

For katcha peshi.
For hearing of CMA-39/2009.

Mr. Abdul Jabbar Qureshi, Advocate for appellant.
Mr. Abdul Aziz Shaikh, Advocate for respondent.

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This case was partly heard yesterday and today learned counsel for the respondent has also argued at some length.

Learned counsel for the respondent who is having two decrees in his favour is kind enough to make an offer that he will be satisfied if the actual amount which was forfeited by the applicant in the year 1998 amounting to Rs.7,14,285/-may be returned without touching the merits of the case.

Learned counsel for the appellant has sought instructions from his client namely Muhammad Naeem, Assistant Manager of the appellant present in Court. He has accepted the proposition, therefore, on the undertaking of the appellant this appeal is allowed to the extent that the order of the trial Court stands modified to the extent that the suit is decreed for the recovery of Rs.7,14,285/- only. The appellant is directed to deposit the said amount of Rs.7,14,285/-within thirty (30) days from today before the Additional Registrar of this Court.

This appeal stands disposed of in the above terms.

JUDGE.