

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

M.A. No.12 of 2011.

DATE	ORDER WITH SIGNATURE OF JUDGE
-------------	--------------------------------------

- 1.For Katcha Peshi.
- 2.For hearing of CMA-1475/11.
- 3.For hearing of CMA-523/13.
- 4.For hearing of CMA-524/13.
- 5.For hearing of CMA-525/13.

18.8.2014.

Syed Kamran Ali, Advocate for the appellant.
Mr. Gohar Latif, Advocate for respondents.
Syed Babar Ali, Advocate for intervenor.
Mr. Anwar H. Ansari, State counsel.

=====

1to5. Learned counsel for the appellant says that the execution proceedings were initiated before the executing Court, even before the decree had been prepared. Both the learned counsel present in Court concede that there was no decree available on the date of order impugned in this miscellaneous appeal. In the circumstances, by consent, case is remanded to the trial Court because decree has now been prepared and placed before the learned executing Court. The executing Court should proceed with the matter in accordance with law. If any person wants to become as party, he may file application before the executing Court. All the orders passed prior to preparation of the decree are null and void, however, the Court is empowered to re-examine the same and may pass fresh orders.

With the above observation, this miscellaneous appeal is disposed of along with all pending applications as not pressed by the respective counsel.

JUDGE.