

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

M.A No.S— 15of 2023

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DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For hearing of CMA 1037/2023 (stay)
2. For hearing of main case

07.11.2023.

Mr. Parkash, Advocate for appellant  
Mr. Sohail Hussain Notkani Advocate for respondent

Present appeal is against Judgment and decree dated 22.03.2023 rendered by Additional District Judge-I Tando Muhammad Khan in Civil Appeal No.24 of 2021.

*Prima facie* the impugned judgment does not confirm to the parameters of Order XLI Rule 31 CPC and Order XX Rule 5 C.P.C. The adherence to settled principles of determination are imperative per judgments of the Supreme Court reported as 2019 SCMR 1726 and PLD 2022 Supreme Court 248.

At this juncture the respective learned Counsel jointly submit that it may be just and proper that impugned judgment be set aside and matter remanded to learned District Judge Tando Muhammad Khan; to decide the appeal afresh and render a judgment in accordance with law. Order accordingly.

Judge

A.Rasheed/stenographer