

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
IInd Appeal No.95 of 2017

Date

Order with Signature(s) of Judge(s)

PRIORITY.

1. For hearing of CMA No.2588 of 2021.
2. For hearing of CMA No.7526 of 2017.
3. For hearing of main case.

20.05.2025

M/s. Manzoor Hameed Arain, Advocate for the Appellant.
Syed Ehsan Raza, Advocate for Respondent No.2.
Mr. Ahmed Khan Khaskhely, Assistant Advocate General, Sindh.
Mr. Junaid Hussain Dahar, Advocate Respondent No.1-KMC.

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After hearing the matter at some length, both the learned counsels agree that the learned trial Court, in its Order dated 16.07.2016, incorrectly consolidated the issues as the evidence had already been recorded in both the respective Suits and consolidation vide the Order mentioned above could not have been done as the parties were not allowed to lead evidence on the consolidated Issues. By consent, the instant Appeal stands *disposed of* with directions to the learned trial Court to decide both the Suits afresh, separately, based on the evidence already recorded and Issues framed in the respective Suits, within a period of 30 days [excluding Summer Vacations] from today. It is specified that no further evidence will be led and no amendment shall be made to the Issues already settled by the Court. The Judgment will be pronounced by the learned trial Court on the evidence already recorded and, on the Issues, framed in the respective Suits above. Order accordingly.

JUDGE

Jamil