

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA**  
**C.P.No.S-848 of 2018**

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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1. For orders on office objections at flag "A".
2. For hearing of M.A.No.1699/2018 (S/A).
3. For hearing of main case.

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**22.08.2025**

Mr. Ghulam Dastagir A. Shahani, Advocate a/w Petitioner Lal Bux Thaheem.

Mr. Iftikhar Ahmed Shaikh, Advocate for Respondent No.1.

Mr. Munwar Ali Abbasi, Assistant Advocate General, Sindh.

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This petition has been filed by the petitioners against the Order dated 13.10.2018, passed by learned IIIrd Additional District Judge, Shikarpur in First Rent Appeal No.01/2018 and order dated 18.05.2018, passed by learned 2<sup>nd</sup> Rent Controller/Senior Civil Judge, Shikarpur in Rent Application No.05/2015, wherein the application under section 12(2) CPC filed for setting aside the ejectment order dated 16.03.2017, passed by the Court of IIIrd Rent Controller, Shikarpur was dismissed.

During pendency of this petition, the tenant M/s. MCB Limited has vacated the premises and is no more in possession of the demised premises and the possession as per contention of the parties is lying with respondent No.1. Fayaz Hussain.

Since the judgment passed by the trial Court is acted upon and the tenant, who was aggrieved party in the case, has vacated the premises, therefore, further deliberation in the matter would be nothing but wastage of time.

Learned counsel for the petitioners submits that the parties have also filed F.C.Suit No.120/2018 before the Court of learned Ist Senior Civil Judge, Shikarpur, challenging the ownership claim and the parties are agree that if the trial Court, seized of suit No.120/2018, is directed to conduct trial expeditiously and decide the suit within a reasonable time, they will be satisfied and will not pursue this petition.

Accordingly, instant petition is hereby disposed of as being infructuous. However, learned trial Court viz. Ist Senior Civil Judge, Shikarpur, seized of Suit No.120/2018 is directed to ensure that the matter is concluded within a period of four months from the date of communication of this order. The Court shall not grant unnecessary adjournments to any of the parties and shall adopt the coercive process for production of any witness as codified under Order 16 of the Civil Procedure Code. The parties are also expected to cooperate with the learned trial Court so that the dispute between them may be settled.

Office to send copy of this order to learned Ist Senior Civil Judge, Shikarpur

**Judge**

*Manzoor*