

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

Civil Rev. Appln. No. S-186 of 2025

Applicants : Syed Bachal Shah s/o Tharo Shah (since died),
Through his legal heirs
Represented by Mr. Muhammad Mureed Siyal, Advocate

Respondents : Sayed Ali Akbar Shah s/o Sayed Tharo Shah, & 07 others
Through Mr. Muhammad Zubair Malik, Advocate

The State : *Through Mr. Shaharyar Imdad Awan, Asst. A.G*

Date of hearing : 02.02.2026
Date of order : 02.02.2026

O R D E R

KHALID HUSSAIN SHAHANI, J.- Learned counsel for the applicants, through a duly filed statement, seeks withdrawal of the present Civil Revision Application to the extent of respondent Nos.5, 6, 7, 8, and 14 on the ground that no surviving cause of action remains against them, the dispute having been amicably resolved through a private *faisla*.

2. An application under Order XXIII Rule 3 CPC has also been submitted for disposal of the matter in view of the compromise reached between the contesting parties, who have mutually agreed upon the following terms and conditions:

- i) That a private *faisla* was convened on 16.09.2025 between Sayed Ali Akbar Shah (respondent No.1), Sayed Zaheer Ali Shah (respondent No.4), Sayed Amir Shah (applicant No.1), and Sayed Ali Raza Shah (applicant No.1/b) in the presence of the *Nek Mard*, Sayed Shabir Ali Shah.
- ii) That an amount of Rs.10,000,000/- (Rupees one crore) was determined to be payable by Sayed Zaheer Ali Shah (respondent No.4). Out of this, he is obliged to pay Rs.6,500,000/- to his maternal uncle, Sayed Ali Akbar Shah (respondent No.1), at the time of sale of the relevant land, and Rs.4,500,000/- to Sayed Amir Shah (applicant No.1), son of Sayed Bachal Shah.
- iii) That the amount of Rs.8,000,000/- belonging to Sayed Ali Akbar Shah (respondent No.1), kept in a savings bank account, was entrusted to Sayed Amir Ali Shah (applicant No.1). Out of this, the applicant was permitted to withdraw Rs.5,500,000/- from the said account and has already received Rs.1,500,000/- as penalty, making a total of Rs.7,000,000/. The remaining balance of Rs.1,000,000/- shall be paid by Sayed Ali Akbar Shah (respondent No.1) to Sayed Amir Ali Shah (applicant No.1) either in cash or through cheque.
- iv) That Sayed Zaheer Ali Shah (respondent No.4) shall execute a registered sale deed in respect of the plot situated at Warah in favour of Sayed Amir Ali Shah (applicant No.1), possession of which is already vested with the said applicant.

- v) That out of the remaining land measuring 04-30 acres, an equal share of 01-20 acres each shall be given to Sayed Ali Akbar Shah (respondent No.1) and Sayed Amir Ali Shah (applicant No.1). As per the private *faisla*, Sayed Shabir Ali Shah shall hand over the corresponding portion and amount to Sayed Ali Akbar Shah, while the remaining portion relating to the late Bibi Qamar-un-Nisa shall be allotted to Sayed Zaheer Ali Shah (respondent No.4). Likewise, 00-20 ghunta shall be given to Bibi Badshahzadi (respondent No.3), and 01-00 acre to Bibi Ghulam Fatima (respondent No.5), who shall dispose of the same and pay the equivalent of $\frac{1}{2}$ acre to Sayed Ali Akbar Shah (respondent No.1) as already agreed in the private *faisla*.
- vi) That, in pursuance of the above *faisla*, upon sale of the entire property, each party shall receive their respective shares accordingly. It shall be the responsibility of the *Nek Mard*, Sayed Shabir Ali Shah, to ensure implementation of all terms and to distribute the shares to the respective parties.

3. Learned Assistant Advocate General representing the Province submits that the Government has no objection to the compromise arrived at between the private parties, as the same does not affect any public or Government interest. Accordingly, the matter is disposed of in view of the statement filed and the terms and conditions recorded in the application under Order XXIII Rule 3 CPC.

4. The instant Civil Revision Application is therefore disposed of in the above terms.

J U D G E