

ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT MIRPURKHAS

Constitutional Petition No.S-41 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection.
2. For hearing of main case.

18.02.2026

Mr. Suleman Dahri, advocate for the petitioner.
Mr. Muhammad Idrees Khan, advocate for private respondents.
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1. Mr. Muhammad Idrees Khan advocate files Vakalatnama on behalf of private respondents which is taken on record.
2. After arguing the matter at length, both the learned counsel, under the instructions of their respective clients, state that they would be satisfied if the matter is remanded back to the trial court for decision on merits strictly in accordance with law, subject to the following directions:
3. That the learned trial court shall also frame Issues regarding (i) locus standi of the plaintiff on suit property; (ii) the issue pertaining to limitation for filing of the suit; (iii) the issue regarding maintainability of the suit and (iv) the Issue on cause of action shall also be framed. The learned trial court be also directed to conclude the trial within a specified period.
4. In view of the above and by consent of the learned counsel, the instant petition is allowed and the impugned order dated 31.01.2020 passed by learned Additional District Judge-II/MCAC, Sanghar in Civil Revision Application No.52/2019 is set-aside and the plaint is restored to its original position and the matter is remanded back to the learned trial

court, with direction to conclude the trial within a period of 60 days from the date of receipt of this Order, whereby no unnecessary adjournment shall be granted to any of the parties and the matter be decided after framing of the Issues, which shall include the above-referred four Issues. Upon conclusion of the trial, Compliance report be submitted by the learned trial court to the learned Additional Registrar of this Court.

JUDGE

**Faisal **