

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

C.P No.S- 894 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection
2. For Katcha Peshi.

07.11.2016.

Mr. Ghulam Asghar Mirbahar, Advocate for petitioner.

Mr. Allah Bachayo Soomro, A.A.G alongwith SIP Muhammad Chungal on behalf of SSP Hyderabad.

Mr. Irfan Ali Bghio, Advocate, holding brief for Mr. Ayaz Ali Rajpar, Advocate for respondent No.8, who is out of Country.

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Mr. Fazal Hussain Jamali, Standing Counsel alongwith Syed Ghulam Haider Shah, Advocate, who represents respondent No.2-D.G Rangers Sindh.

According to the comments, a complaint was forwarded to D.G Rangers and in that connection the petitioner was called for an inquiry. However, it has been undertaken particularly on behalf of respondents No.5 & 6, who are personnel of Rangers and work under the supervision and control of Respondent No.2-D.G Rangers, Sindh, that no harassment shall be caused to the petitioner nor Rangers will interfere in any civil dispute between the petitioner and private respondents. Even otherwise, Rangers does not have any authority to interfere in a civil dispute between two private parties. Comments have also been filed on behalf of SSP Hyderabad, inter alia, with an assurance that protection will be provided to petitioner whenever such request is made.

Consequently, this petition is disposed of with the directions that police officials will provide protection to petitioner if he approaches them with such a request but strictly in accordance with law.

JUDGE

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

C.P No.S- 1633 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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07.11.2016.
Late diary

Mr. Altaf Hussain Chandio, Advocate for petitioners alongwith
petitioners.

Mr. Allah Bachayo Soomro, A.A.G.

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After passing of order, the learned Counsel for the petitioner seeks Court's indulgence and requests that relatives of petitioners have gathered outside the Court and there is imminent danger that they will cause serious harm and injury to the petitioners.

In these circumstances, the learned A.A.G is directed to provide adequate police protection to both the petitioners and police under its supervision will accompany the petitioners to their place of destination.

Copy of this order be provided to learned A.A.G for strict compliance.

JUDGE

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

C.P No.S- 1593 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection
2. For Katcha Peshi.

07.11.2016.

Mr. Altaf Hussain Chandio, Advocate, alongwith petitioners.

Mr. Allah Bachayo Soomro, A.A.G alongwith Inspector Afzal Baig Mughal, SHO P.S Jhok Sharif.

Private respondents No.6 & 7 are present in person.

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Today, learned A.A.G has filed comments on behalf of officials respondents No.2 & 3, which are taken on record. SHO P.S Jhok Sharif is present in person and submits that petitioners have never approached him for protection and he is ready to provide the same within the parameters of law.

The petitioners have contracted a freewill marriage. Petitioner No.1 Mst. Saiqa confirms the contents of the petition that she being sui juris has a right under the law to choose a life partner which she has done and Noor Hassan, petitioner No.2, is her husband.

Respondents No.6 & 7, who are present in person, undertake that they have not caused harassment to the petitioner.

This petition is disposed of on the statement of these private respondents and a written statement/undertaking of SHO P.S Jhok Sharif that he will provide protection to the petitioner. However, today under some peculiar circumstances, it is directed that SHO under his supervision will accompany the petitioners to their destination.

JUDGE

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

C.P No.S- 1602 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection
2. For Katcha Peshi.

07.11.2016.

Mr. Nasrullah Unar, Advocate alongwith petitioner.

Mr. Allah Bachayo Soomro, A.A.G alongwith SIP Muhammad Chagal on behalf of SSP Hyderabad, and SIP Umerdin on behalf of SHO P.S Tando Jam.

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Today, Mr. Sheeraz Ahmed Bhatti, Advocate, files vakalatnama on behalf of respondent No.6-Jafar s/o Muhammad Hassan and submits that litigation is already pending between the parties in the Court of Civil Judge & Judicial Magistrate-7, Hyderabad under Section 133 of Cr.P.C. However, to a query the respondent's Counsel has categorically stated that respondent No.6 has never extended any threat nor caused harassment to the petitioner.

Today, learned A.A.G has filed comments on behalf of officials respondents, according to which, they have not caused any harassment but they will investigate the case in accordance with law.

Present petition is disposed of with the directions that official respondents will act strictly in accordance with law and should not cause any harassment to the petitioner. Private respondent is also restrained from causing any harassment to the petitioner and may seek his remedy in accordance with law.

JUDGE

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

C.P No.S- 1607 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection
2. For Katcha Peshi.

07.11.2016.

None present for petitioner.

Mr. Allah Bachayo Soomro, A.A.G alongwith SIP Muhammad Chagal on behalf of SSP Hyderabad and ASI Abdul Ghaffar P.S Fort, Hyderabad.

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Instant petition is primarily in respect of life and liberty wherein petitioner is seeking protection for his family and himself from the highhandedness of official respondent No.3.

Today, statement has been filed by learned A.A.G wherein allegation are denied and it has been reiterated that on making a proper application the police will provide protection to the petitioner within the parameters of law. With these observations that police will discharge its duty strictly in accordance with law by providing protection to the petitioner whenever approached with such a request, this petition stands disposed of.

JUDGE

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

C.P No.S- 1630 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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07.11.2016.

Mr. Abdul Ghaffar Malik, Advocate alongwith petitioners.

Mr. Allah Bachayo Soomro, A.A.G alongwith ASI Ghulam Qadir
Jalbani, P.S Mari Jalbani.

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Today, learned A.A.G has filed comments in which the official respondents have disputed the contents of petition. However, petitioners' Counsel submits that private respondents have caused immense mental agony to petitioners and continuously demanding Rs.500,000/- (rupees five lacs).

Be that as it may, in these circumstances, it would be just and proper that private respondents No.4 to 10 should also be heard. In the circumstances, office is directed to issue notices to the private respondents and in this regard ASI Ghulam Qadir present in Court today is directed to ensure presence of private respondents in Court on next date of hearing in order to effectively adjudicate the matter.

Adjourned to 21.11.2016.

JUDGE

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

R.A No. 69 of 2014

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on C.M.A 1804/16
2. For orders on office objection
3. For Katcha Peshi.
4. For orders on C.M.A440/16
5. For hearing of C.M.A 512/15

07.11.2016.

Mr. Hakim Ali Siddiqui, Advocate for applicants.

Mr. Arbab Ali Hakro, Advocate for respondents No.5 to 10.

Mr. Ghulam Sarwar Baloch, Advocate for applicants/intervenor.

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It is contended by Mr. Ghulam Sarwar Baloch, Advocate, who has moved this C.M.A 1804/2016 that applicants/interveners are also legal heirs but have been excluded with intent to deprive them of their share in the property. Mr. Arbab Ali Hakro, learned Counsel for respondents No. 6 to 11 at this juncture points out that he is seeking partition of his share only in terms of Section 135 of the West Pakistan Land Revenue Act, 1967, which will not disturb the physical possession of the applicants. He further urges urgency in the matter, as two concurrent decisions are in his favour. However, this contention is controverted by Mr. Hakim Ali Siddiqui, learned Counsel for applicants who submits that the subject matter is still sub judice in this Court and therefore, Revenue Authorities cannot pass such an order.

Be that as it may, adjourned to 29.11.2016 at 08-30 a.m. In the meantime, counter affidavit(s) and affidavit(s) in rejoinder, if any, are to be exchanged between the parties so that the matter may be concluded finally. Interim order passed earlier to continue till next date

JUDGE

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

R.A No. 68 of 2014

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on C.M.A 1803/16
2. For orders on office objection
3. For Katcha Peshi.
4. For orders on C.M.A 439/16
5. For hearing of C.M.A 510/15

07.11.2016.

Mr. Hakim Ali Siddiqui, Advocate for applicants.

Mr. Arbab Ali Hakro, Advocate for respondents No.6 to 11.

Mr. Ghulam Sarwar Baloch, Advocate for applicants/intervenor.

-.-.-.

It is contended by Mr. Ghulam Sarwar Baloch, Advocate, who has moved this C.M.A 1803/2016 that applicants/interveners are also legal heirs but have been excluded with intent to deprive them of their share in the property. Mr. Arbab Ali Hakro, learned Counsel for respondents No. 6 to 11 at this juncture points out that he is seeking partition of his share only in terms of Section 135 of the West Pakistan Land Revenue Act, 1967, which will not disturb the physical possession of the applicants. He further urges urgency in the matter, as two concurrent decisions are in his favour. However, this contention is controverted by Mr. Hakim Ali Siddiqui, learned Counsel for applicants who submits that the subject matter is still sub judice in this Court and therefore, Revenue Authorities cannot pass such an order.

Be that as it may, adjourned to 29.11.2016 at 08-30 a.m. In the meantime, counter affidavit(s) and affidavit(s) in rejoinder, if any, are to be exchanged between the parties so that the matter may be concluded finally. Interim order passed earlier to continue till next date

JUDGE

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

C.P No.S- 1438 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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07.11.2016.

Petitioner present in person.

Mr. Allah Bachayo Soomro, A.A.G alongwith SIP Amir Ali Brohi,
SHO Thariri Jado Shaheed.

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Today, learned A.A.G has comments, where under it has been denied that any harassment is caused to the petitioner by police officials, rather they have undertaken to provide protection to the petitioner if he approaches them with such a request.

Today, Mr. Imtiaz Ali Channa, Advocate, files vakalatnama on behalf of respondents No.7, 10 and 12 and seeks time to file reply and claims. Petitioner undertakes to provide copy of petition to the learned Counsel. Today, respondents No.7, 10 & 12 are also present in person and they have denied the allegation of petitioner and submit that they are in occupation of their own land. On next date of hearing, respondents' Counsel should file his reply alongwith relevant documents.

To come up 28.11.2016

JUDGE

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

C.P No.S- 1062 of 2015

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on M.A 15042/16
2. For orders on office objection

07.11.2016.

None present for petitioner.

Mr. Allah Bachayo Soomro, A.A.G.

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On 27.09.2016, SHO Hala was cautioned to comply with orders, inter alia, by effecting service on respondent No.5. Today, neither respondent No.5 is present nor SHO Hala. In the circumstances, SHO Hala is given another opportunity to comply with the Court orders or face consequences.

Adjourned to 22.11.2016 at 12:00 noon and on which date if SHO Hala fails to appear the office shall issue bailable warrant against him in the sum of Rs.25,000/-.

Copy of this order be provided to learned A.A.G for compliance.

JUDGE

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

C.P No.S- 482 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1 For orders on office objection
2. For Katcha Peshi.

07.11.2016.

Mr. Allah Bachayo Soomro, A.A.G alongwith ASI Muhammad Khan Kaloi, respondent No.4, and SIP Umerdin Bozdar on behalf of SHO P.S Tando Jam.

-:-:-

None present for the petitioner. Same was the position on last date of hearing, however, the matter was adjourned in the interest of justice.

Today, learned A.A.G is present and submits that he has filed a comprehensive report and comments of official respondent/SSP Hyderabad, inter alia,, undertaking to provide protection to every citizen of Pakistan living within the jurisdiction of SSP Tando Allahyar including the petitioner. It appears that petitioner has lost interest in the matter after filing this petition.

Be that as it may, in view of the comments filed by the official respondents/police officials that no harassment was caused to the petitioner and the official respondents shall provide protection to him if approached with such a request. Accordingly, this petition is disposed of in view of above observation.

JUDGE

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

C.P No.S- 996 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on M.A 15042/16
2. For orders on office objection
3. For Katcha Peshi.

07.11.2016.

Mr. Altaf Hussain Chandio, Advocate for petitioners.

Mr. Allah Bachayo Soomro, A.A.G.

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1. Granted.

2&3. Counsel for petitioners states that respondents are trying to dispossess petitioners from the land in question.

Parawise reply of official respondents show that parties-Petitioners and private respondents have lodged FIRs against each other and criminal cases are sub judice.

Be that as it may, till next date of hearing, petitioners shall not be dispossessed from the land in question except through due process of law, which includes, an order or direction from the Court. On the next date, C.P No.S-808/2016 shall also be tagged with instant Constitutional Petition.

Adjourned to 22.11.2016.

JUDGE

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

C.P No.S- 1147 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders as to non-prosecution of main petition, as notices not issued as cost and copies have not been supplied by the learned Counsel for the petitioner.

07.11.2016.

None present.

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The order sheets show that even on the first date of hearing no one was present on behalf of petitioner but notices were issued by showing indulgence. Today, the matter is fixed for non-prosecution as till date compliance of the office note has not been made which includes non-payment of costs. Consequently, instant petition is dismissed for non-prosecution.

JUDGE

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

C.P No.S- 1158 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders as to non-prosecution of main petition, as notices not issued as neither cost has been paid nor copies have been supplied by the learned Counsel for the petitioner.

07.11.2016.

None present.

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Petitioner petition pertains to freewill marriage in which on 20.07.2016 a comprehensive order was passed, inter alia, provided protection to the petitioners, whereafter from the record it appears that Counsel for petitioners stopped appearing. Till date neither cost has been paid nor have copies been supplied by the petitioners' side in the Branch enabling the office to take further steps. It appears that after obtaining favourable restraining order in their favour the petitioners have decided not to pursue the matter. Consequently, instant petition is dismissed.

JUDGE

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

C.P No.S- 1221 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders as to non-prosecution of main petition, as notices not issued as cost and copies have not been supplied by the learned Counsel for the petitioner.

07.11.2016.

None present.

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On last date of hearing, though no one was present on behalf of the petitioners but the matter was adjourned in the interest of justice while granting one week's time to the petitioners' side to comply with the office objection which includes payment of costs. Till date same is the position which is reflected from the office note that neither cost has been deposited nor copies have been supplied in the Branch enabling the office to proceed further. Consequently, instant petition is dismissed for non-prosecution.

JUDGE

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

C.P No.S- 1286 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders as to non-prosecution of main petition, as notices not issued as cost and copies have not been supplied by the learned Counsel for the petitioner.

07.11.2016.

None present.

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On last date of hearing, though no one was present on behalf of the petitioner but the matter was adjourned in the interest of justice while granting one week's time to the petitioner's side to comply with the office objection which includes payment of costs. Till date same is the position which is reflected from the office note that neither cost has been deposited nor copies have been supplied in the Branch enabling the office to proceed further. Consequently, instant petition is dismissed for non-prosecution.

JUDGE

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

C.P No.S- 1359 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders as to non-prosecution of main petition, as notices not issued as cost and copies have not been supplied by the learned Counsel for the petitioner.

07.11.2016.

None present.

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On last date of hearing, though no one was present on behalf of the petitioner but the matter was adjourned in the interest of justice while granting one week's time to the petitioner's side to comply with the office objection which includes payment of costs. Till date same is the position which is reflected from the office note that neither cost has been deposited nor copies have been supplied in the Branch enabling the office to proceed further. Consequently, instant petition is dismissed for non-prosecution.

JUDGE

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

R.A No. 217 of 2004

DATE	ORDER WITH SIGNATURE OF JUDGE
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For Katcha Peshi.

07.11.2016.

Mr. Muhammad Hashim Memon, Advocate for applicant.

Mr. Allah Bachayo Soomro, A.A.G.

Learned Counsel for applicant partly argued this Revision Application; however, due to paucity of time, as today other time fixed matters are also fixed after tea-break, this matter is fixed on 28.11.2016 at 11:00 a.m. for further arguments.

JUDGE

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

C.P No.S- 1416 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders as to non-prosecution of main petition, as notices not issued as cost and copies have not been supplied by the learned Counsel for the petitioner.

07.11.2016.

None present.

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On 05.09.2016 after recording contention of Counsel for the petitioner notices were issued to the respondents. Thereafter, neither cost of the petition has been deposited nor copies were supplied in the office enabling the office to take further steps and on 27.09.2016 though no one was present on behalf of the petitioner but as an indulgence seven days' time was granted to comply with the orders. Today, compliance has not been made and therefore, again office note shows that the matter is fixed for non-prosecution. Consequently, instant petition is dismissed for non-prosecution.

JUDGE

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

C.P No.S- 1644 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders as to non-prosecution of main petition, as notices not issued as cost and copies have not been supplied by the learned Counsel for the petitioner.

07.11.2016.

None present.

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As an indulgence, three days' time is granted to comply with the office notice, whereafter the matter be fixed in Court for further proceeding.

JUDGE

Ali Haider

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

R.A No. 06 of 1991

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on C.M.A 1823/16

07.11.2016.

Mr. Mashooque Ali Mahar, Advocate, holding brief for Mr. Ghulamullah Chang, Advocate for respondents, states that some SSP is causing harassment but in the urgent application no such fact has been mentioned rather no ground has been mentioned for getting this matter fixed at an early date. Consequently, urgent application is dismissed.

JUDGE

Ali Haider

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

R.A No. 320 of 2010

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on C.M.A 1779/16

07.11.2016.

Mr. Muhammad Sachal R. Awan, Advocate for applicants.

Mr. Pirbhulal U. Goklani, Advocate for respondent No.1.

It is, inter alia, contended that the matter was dismissed for non-prosecution as the erstwhile Counsel of the applicants was appointed as Additional District & Sessions Judge and therefore, matter could not pursue. Urgency granted.

Learned Counsel for respondent No.1 waives notice of Revision Application and claims copy of the same which should be supplied to him during course of the day.

Office is directed to fix this matter on 06.12.2016.

JUDGE

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

R.A No. 51 of 2013

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on C.M.A 1768/16

07.11.2016.

Mr. Amjad Hussain Rajpar, Advocate, holding brief for Mr. Muhammad Arshad S. Pathan, Advocate for applicants, who is reported to be busy before another Bench.

It is stated in the affidavit that applicant is a senior citizen of this Country and his substantial stakes are involved in the matter, therefore, he has moved this urgent application, which is accordingly granted. The matter is fixed on 06.12.2016.

JUDGE

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

R.A No. 144 of 2013

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on C.M.A 1734/16

07.11.2016.

Mr. Muhammad Hassan Jakhro, Advcoate for respondents No.1(a)
to 1(c).

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It is, inter alia, contended that despite concurrent findings of the Courts
below in his favour the respondent No.1 is still dragged into this litigation.

Urgency granted. Office is directed to fix this matter on 29.11.2016.

JUDGE

Ali Haider

