

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

C.P No.S- 1647 of 2016

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

14.11.2016.

Mr. Muhammad Saleem Laghari, Advocate alongwith petitioners.

Mr. Allah Bachayo Soomro, A.A.G alongwith SIP Muhammad Siddique Mallah P.S Hala and ASI Muhammad Ramzan Malik P.S Saeedabad.

-.-.-.

Today, Mian Taj Muhammad Keerio, Advocate, files power on behalf of respondent No.7, which is taken on record.

Both petitioners are present in person alongwith their Counsel. Their nikahnama and affidavit of freewill are available at Pages 13 and 15, respectively, according to which petitioner No.1 being sui juris has contracted a freewill marriage with petitioner No.2.

Statements filed on behalf of police officials are taken on record, according to which no FIR till date has been lodged against the petitioner and police has undertaken to provide protection to the petitioners only in accordance with law.

Respondent No.7 Rano Khaskheli, the father of petitioner No.1, is present alongwith his wife, that is, the mother of petitioner No.1 alongwith their Counsel, who files objections and submits that though they will not cause any harassment to the petitioners but petitioner No.1 when contracted present marriage was already a married woman regarding which they reserve the right to proceed in accordance with law.

Be that as it may, it is hereby directed that respondents shall not cause any harassment to the petitioners. With these directions present petition stands disposed of.

JUDGE

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

C.P No.S- 1723 of 2016

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

14.11.2016.

Mr. Nouman Sahito, Advocate for petitioners.

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

-.-.-.

Learned Counsel for petitioners submits that both petitioners are not in contact with him since the passing of last order, wherein both petitioners were given protection by passing restraining order that respondents shall not cause any harassment to the petitioners. He submits that petition may be disposed of in view of the last order.

Vakalatnama of the learned Counsel does authorize him to withdraw and compromise the mater, therefore, instant petition is disposed of with the directions that respondents shall not cause any harassment to the petitioner and if petitioners approach the official respondents for protection, the same shall be provided to them in accordance with law.

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

JUDGE

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

C.P No.S- 1038 of 2016

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

14.11.2016.

Mr. Aijaz Ali Bhutto, Advocate for petitioner alongwith petitioner.

Mr. Allah Bachayo Soomro, A.A.G alongwith SIP Qurban Kalwar
SHO Moro, SIP Muhammad Chagal on behalf of SSP
Hyderabad, and ASI Sikandar Ali on behalf of SHO Qasimabad.

-.-.-

Today, official respondents have filed a progress report about their raids conducted to arrest absconding accused, which is taken on record, the gist of which is that till date they are unsuccessful.

However, at this juncture, the petitioner's Counsel, who is present alongwith petitioner, submits that lady petitioner can point out the hideouts of absconding accused provided police takes interest in arresting them. The lady petitioner will accompany police officials right away and will pinpoint the hideouts of absconding accused so that they may be arrested and criminal case pending before the concerned Court should be proceeded further. SHO Moro SIP Qurban Kalwar, who is present in Court today, is further put on notice that if the information is leaked to the accused persons or any harm is done to the petitioner, he and his other officials will be responsible for the same.

Adjourned to 29.11.2016 at 12:00 noon.

JUDGE

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

C.P No.S- 1129 of 2016

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

14.11.2016.

Mr. Allah Bachayo Soomro, A.A.G alongwith SIP Imamuddin
SHO Sakrand and ASI Muhammad Yasin Solangi P.S Daulatpur.

-.-.-.

Mr. Mushtaque Hussain Kalwar, Advocate, holding brief for Mr. Mukhtiar Ali Rind, who represents petitioner, submits that he has been instructed by petitioner's Counsel that the matter has been compromised and therefore, he does not press this petition. When queried, the Counsel submits that he is not the associate of Mr. Mukhtiar Ali Rind and therefore, he has no authority or vakalatnama to withdraw the instant petition which pertains to life and liberty of a lady petitioner. On next date of hearing, the petitioner and her Counsel should be present in Court to apprise it about the latest developments.

For the time being, appearance of the police officials present today is dispensed with.

Adjourned to 30.11.2016 at 01:00 p.m.

JUDGE

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

C.P No.S- 1151 of 2016

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

14.11.2016.

Mr. Allah Bachayo Soomro, A.A.G alongwith SIP Zulfiqar Ali
SHO P.S Sinjhoru and ASI Atta Muhammad P.S Jhol.

-.-.-.

None present for the petitioner.

Learned A.A.G today has filed statement alongwith investigation report prepared in FIR No. 58/2016, wherein, inter alia, it has been mentioned that child by the name of Ali Tab aged about 12 years regarding whom the present petition was filed with the allegation that private respondents have kidnapped him, it is mentioned that the entire version of petitioner is false and I.O even obtained a written reply from the concerned Headmaster of the Urdu Primary School Jhol for verifying a certificate and the School gave an adverse report that they have not enrolled any student by the name of Ali Tab.

In these circumstances, present petition is meritless and is according dismissed.

JUDGE

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

C.P No.S- 1422 of 2016

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

14.11.2016.

None present for the petitioner.

Mr. Allah Bachayo Soomro, A.A.G alongwith SIP Pir Naggi SHO
Umerkot. .

-.-.-.

Today, learned A.A.G has filed a comprehensive statement, where under, inter alia, it has been mentioned that a special team was constituted to make efforts for recovery of the alleged detenu but even after raiding the premises of respondents No.6 to 8, the detenu could not be recovered.

Since the matter pertains to life and liberty of a lady citizen, therefore, this petition cannot be disposed of merely on the basis of report and office is directed to issue notices to the petitioner as well as to private respondents for next date of hearing. In this regard concerned SHO, who is present in Court today, is directed to serve notice on petitioner personally and as well as to ensure presence of respondents No.6 to 8 in Court on next date of hearing.

Adjourned to 01.12.2016 at 12:30 p.m.

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

JUDGE

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

C.P No.S- 1451 of 2016

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

14.11.2016.

Mr. Nouman Sahito, Advocate for petitioner.

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

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Today, Mr. Sheeraz Ahmed Bhatti, Advocate files vakalatnama on behalf of private respondents, who are also present in Court. Vakalatnama is taken on record.

The Respondents' Counsel has apprised this Court about the decision of a civil suit with regard to same subject matter but about which the present petitioner has not made any reference. It is submitted by the respondents side that the present petitioner has been filed by concealing the facts with ulterior motives

Adjourned to 21.11.2016 at 01:00 p.m before which date the respondents side will file a comprehensive reply to this petition alongwith all documents especially the decision of the civil suit and petitioner's side is put on notice that in the event, if Court reaches the conclusion that the present petition was filed with concealment of facts, then appropriate action against the petitioner shall follow.

JUDGE

Ali Haider

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

C.P No.S- 1455 of 2016

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

14.11.2016.

Petitioner present in person.

Mr. Allah Bachayo Soomro, A.A.G alongwith SIP Javed Akhtar on behalf of DIGP Hyderabad and SIP Mir Muhammad on behalf of SHO P.S Kario Ganhwar.

-.-.-.

Petitioner is present in person and submits that his Counsel is at the Principal Seat in connection with professional work.

Learned A.A.G has filed parawise reply on behalf of official respondents where under police officials have denied their involvement in the dispute between the private respondents and petitioner; landlord and tenant, respectively.

The present petition is disposed of by the following order:-

1. The private respondents as well as official respondents shall not cause any harassment to the petitioner and police officials shall ensure that they provide protection to the petitioner in accordance with law, if the petitioner approaches them with such a request.
2. This dispute mentioned in this petition is referred to concerned Assistant Commissioner Golarchi for his appropriate orders in terms of Sindh Tenancy Act, 1950 and or any other applicable law regarding which said concerned Assistant Commissioner is exercising his jurisdiction. It is expected that the Assistant Commissioner shall decide the matter within four weeks from the receipt of this order.

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

R.A No.155 of 2016

| | |
|-------------|--------------------------------------|
| DATE | ORDER WITH SIGNATURE OF JUDGE |
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1. For Katcha Peshi.
2. For orders on C.M.A 1859/16

14.11.2016.

Mr. Rao Faisal Ali, Advocate for applicant.

Mr. Muhammad Hashim Memon, Advocate for respondents No.1 & 2.

Mr. Allah Bachayo Soomro, A.A.G for respondents No.3 to 5.

-.-.-.

Today, Mr. Muhammad Hashim Memon, the learned Counsel for respondents No.1 & 2 has informed that Raja Abdul Ghani s/o Raja Karamillahi has passed away and therefore, the main controversy in the matter relating to the inheritance of share of Mst. Rukhsana, who was unmarried daughter of deceased Raja Abdul Ghani, has been settled, though both the Courts below have handed down decision against the applicant because under the Islamic Law it is the father who can inherit the property of his unmarried daughter and not the brothers, however, now applicant Raja Ishtiaque Ali and Muzaffar, the sons of Raja Abdul Ghani, the respondent No.1 in terms of Sharia Law will be entitled to the inheritance/estate left by the deceased Raja Abdul Ghani at the time of his death.

On a query that no death certificate has been placed on record, the learned Counsel for the respondents submits that he himself has attended funeral of the deceased and he is making this statement at bar which has not been disputed by applicant's Counsel, therefore, a consent order with regard to above factual position can be passed.

Consequently, this Revision Application is disposed of by consent in view of the above facts and on the ground that the issue of inheritance will now be decided in accordance with Islamic Law and applicant and respondent No.2 being surviving legal heirs will inherit the inheritance/estate left by the above named deceased Raja Abdul Ghani at the time of his death.

JUDGE

Ali Haider

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

R.A No.259 of 2016

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| DATE | ORDER WITH SIGNATURE OF JUDGE |
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14.11.2016.

Mr. Jagdish R. Mullani, Advocate for applicants.

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

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Today, Mr. Ashok Kumar D. Lohano, Advocate, files vakalatnama on behalf of respondents No.5 to 8 and claims copy of the present Revision Application alongwith all annexures as, according to learned Counsel, he has received only notice of present proceedings without any sets of Revision Application. The Counsel will first approach the Branch for obtaining the copies of present Revision Application and if same is not found there, then Mr. Jagdish R. Mullani the learned Counsel for applicants undertakes to supply him the copy of the entire set during course of the day.

Adjourned to a date in office.

JUDGE

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

M.A No. 06 of 2013

| DATE | ORDER WITH SIGNATURE OF JUDGE |
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14.11.2016.

Mr. Ishrat Ali Kehar, Advocate for appellant.

Mr. Muzzafar Ali Laghari, Advocate for respondent No.11.

-.-.-.

Today, Counsel for contesting respondent No.11 Mst. Mumtaz Begum has filed a statement where under he has filed certain documents viz: residence certificate, no marriage certificate and heirship certificate, which is taken on record.

Due to paucity of time, this matter cannot be heard today, therefore, same is adjourned to 13.12.2016 at 11:00 a.m.

JUDGE

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

C.P No.S- 1038 of 2015

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| DATE | ORDER WITH SIGNATURE OF JUDGE |
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For orders as to non-prosecution of M.A No. 15331/16, as notices not issued as costs and copies have not been supplied by Counsel for the petitioner.

14.11.2016.

Mr. Abdul Jabbar Charan, Advocate for petitioner.

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In the interest of justice, three days' time is allowed to comply with the office objection, whereafter the matter may be fixed in Court for passing appropriate orders.

Adjourned to a date in office.

JUDGE

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

C.P No.S- 1457 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 costs and copies have not been supplied by Counsel for the petitioner.

14.11.2016.

Mr. Shankar Das, Advocate for petitioner.

In the interest of justice, three days' time is allowed to comply with the office objection, whereafter the matter may be fixed in Court for passing appropriate orders.

Adjourned to a date in office.

JUDGE

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

C.P No.S- 1619 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 costs and copies have not been supplied by Counsel for the petitioner.

14.11.2016.

Mr. Babar Rajpar, Advocate for petitioner.

In the interest of justice, three days' time is allowed to comply with the office objection, whereafter the matter may be fixed in Court for passing appropriate orders.

Adjourned to a date in office.

JUDGE

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

C.P No.S- 1679 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 costs and copies have not been supplied by Counsel for the petitioner No.2.

14.11.2016.

Mr. Pir Bux Bhurgri, Advocate for petitioner.

In the interest of justice, three days' time is allowed to comply with the office objection, whereafter the matter may be fixed in Court for passing appropriate orders.

Adjourned to a date in office.

JUDGE

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

C.P No.S- 1708 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 costs and copies have not been supplied by Counsel for the petitioner.

14.11.2016.

Mr. Fakhurdin Dahraj, Advocate for petitioner.

In the interest of justice, three days' time is allowed to comply with the office objection, whereafter the matter may be fixed in Court for passing appropriate orders.

Adjourned to a date in office.

JUDGE

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

C.P No.S- 1699 of 2016

| | |
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| DATE | ORDER WITH SIGNATURE OF JUDGE |
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For orders as to non-prosecution of main Petition, as costs and copies have not been supplied by Counsel for the petitioner.

14.11.2016.

None present.

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From the record it appears that after obtaining restraining order against the respondent, the petitioner's Counsel has not complied with the other requisite formalities and that is why today office has put up a note for such non-compliance. In the interest of justice, five days' time is granted to comply with the office note and if failing to do so, this petition shall be deemed to be dismissed for non-prosecution.

JUDGE

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

R.A No. 133 of 1993

| DATE | ORDER WITH SIGNATURE OF JUDGE |
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For orders on C.M.A 1865/16

14.11.2016.

Counsel called absent. Respondent No.5(1) Jan Muhammad s/o Jumo is present in person and urges urgency in the matter as it is a case of 1993.

Urgency granted. The matter is fixed on 29.11.2016 at 12:00 noon.

JUDGE

Ali Haider

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

R.A No. 149 of 2004

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| DATE | ORDER WITH SIGNATURE OF JUDGE |
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For orders on C.M.A 1864/16

14.11.2016.

Mr. Hakim Ali Siddiqui, Advocate for applicants.

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It is, inter alia, contended that this matter is of 2004 and moot issue of parentage is involved and hence learned Counsel urges urgency, the same is granted.

This matter is fixed on 12.12.2016.

JUDGE

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

R.A No. 375 of 2010

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| DATE | ORDER WITH SIGNATURE OF JUDGE |
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1. For orders on C.M.A 1879/16
2. For orders on statement.

14.11.2016.

Mr. Abdul Jabbar Khaskkheli, Advocate for all applicants except applicant No.2.

Mr. G. M Halepoto, Advocate for applicant No.2.

-.-.-.

1. Urgency granted.
2. The urgent application alongwith a statement dated 02.11.2016 has been moved on behalf of applicant No.2 and today applicant No.2 is present alongwith his Counsel. As per law, this statement should have been filed under Order 1 Rule 10(2) of CPC, as the applicant wants to withdraw from this Revision Application and submits that his name may be deleted from array of applicant and consequently, amended title may be filed for rest of the applicants. Order accordingly. The name of applicant No.2 is deleted from the array of applicants and rest of the applicants, whose counsel is present in Court, are directed to file amended title of this Revision Application before next date of hearing.

Adjourned to a date in office.

JUDGE

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

IInd Appeal No. 33 of 2013

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|-------------|--------------------------------------|
| DATE | ORDER WITH SIGNATURE OF JUDGE |
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For orders on C.M.A 1867/16

14.11.2016.

Mr. Muhammad Jamil Ahmed, Advocate for respondent.

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It is, inter alia, contended that despite concurrent findings of the judgment in favour of respondent, the restraining order is operating in favour of appellant due to which respondent cannot execute the judgment and decree.

Urgency granted. 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. 34 of 2013

| DATE | ORDER WITH SIGNATURE OF JUDGE |
|-------------|--------------------------------------|
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For orders on C.M.A 1869/16

14.11.2016.

Mr. Muhammad Iqbal Memon, Advocate for respondents No. 3
& 4.

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

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According to learned Counsel for respondents No.3 & 4, the applicant by making wrong statement has obtained a restraining order, whereas, no construction over the said property is being done.

Urgency granted. To come up on 07.12.2016.

JUDGE

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

C.P No.S-878 of 2014

| | |
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| DATE | ORDER WITH SIGNATURE OF JUDGE |
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1. For orders on C.M.A 16005/16
2. For orders on statement as flagged.

14.11.2016.

Mr. Zahid Mustafa Memon, Advocate for applicant.

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

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1. Granted.
2. It is, inter alia, contended on behalf of applicant/intervenor Mr. Amanullah Siyal, who earlier moved an application under section 12(2) of CPC being CMA 3997/2015 on behalf of Mehran Cooperative Housing Society, calling in question the order dated 25.02.2015, where under the present petition was disposed of. Subsequently, it is stated that the said intervenor/applicant does not want to pursue the matter further and wants to withdraw the above application unconditionally. This is further confirmed by perusing Para-2 of the affidavit filed alongwith listed urgent application. In this regard, the Counsel has filed a Statement dated 07.11.2016 in which he reiterated such fact about withdrawing the application under section 12(2) of CPC unconditionally. Order accordingly. The CMA 3997/2015 is dismissed as not pressed alongwith all pending applications.

JUDGE

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

M.A No. 02 of 2016

| DATE | ORDER WITH SIGNATURE OF JUDGE |
|-------------|--------------------------------------|
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1. For orders on C.M.A 1876/16
2. For orders on statement.

14.11.2016.

Mr. Umed Ali Khowaja, Advocate for applicant.

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1. Granted.
2. It is contended, inter alia, on behalf of applicant Noman Khan that since matter has been settled amongst the parties amicably, applicant does not want to press the instant miscellaneous appeal. Vakalatnama of the firm shows that the Counsel does have a power to withdraw and compromise a matter, therefore, instant miscellaneous appeal No.2/2016 is dismissed as not pressed.

JUDGE

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

R.A No. 214 of 2016

| | |
|-------------|--------------------------------------|
| DATE | ORDER WITH SIGNATURE OF JUDGE |
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For orders on C.M.A 1863/16

14.11.2016.

Mr. Amjad Ali Sahito, Advocate for applicants.

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It is, inter alia, contended that that execution application is granted by the concerned Court and if the matter is not heard valuable rights of the subsequent purchaser will be jeopardized.

Urgency granted. To come up on 30.11.2016 at 12:00 noon.

JUDGE

Ali Haider

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

R.A No. 34 of 2006

| DATE | ORDER WITH SIGNATURE OF JUDGE |
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14.11.2016.

In the cause list name of erstwhile Counsel Mr. Muhammad Shafi Kashmiri has appeared, who has passed away. Office is directed to be careful in such matters and the name of present counsel Mr. Mujeeb-ur-Rehman should be printed in the cause list on next date of hearing.

Adjourned to a date in office.

JUDGE

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

R.A No. 126 of 2007

| DATE | ORDER WITH SIGNATURE OF JUDGE |
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14.11.2016.

Applicant is present in person and requests for adjournment, as his Counsel is not well.

Mr. Karamullah Memon, Advocate, has filed vakalatnama on behalf of respondent No.1 Riaz Ahmed, which is taken on record.

Adjourned to 06.12.2016.

JUDGE

Ali Haider

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

R.A No. 218 of 2011

| DATE | ORDER WITH SIGNATURE OF JUDGE |
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14.11.2016.

Mr. Hameedullah Dahri, Advocate for respondents No.1 and 2.

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Mr. Umed Ali Khowaja, Advocate, holding brief for Mr. Khadim Hussain
Soomro, Advocate, who represents applicants and is reported to be unwell.

On a joint request, adjourned to 28.11.2016.

JUDGE