

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD
C.P No.S-1904 of 2016

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

16.12.2016.

Mr. Fakhur Din Dahraj, Advocate for petitioner alongwith petitioner.

Mr. Allah Bachayo Soomro, A.A.G alongwith SIP Saboo Khan P.S Gadap City, Malir Karachi.

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Mr. Nehro Lal Bheel, Advocate, files vakalatnama on behalf of private respondents No.6 and 7, which is taken on record.

Today, SIP Saboo Khan, Additional SHO P.S Gadap City, Malir Karachi, has produced the detenue Gudi daughter of petitioner (Bhoro) alongwith respondents No.6 and 7 namely; Govardhan and Usman both sons of Dhaibo. Detenue Gudi appears to be minor and when she was asked by the Court, she replied that the private respondents have kidnapped her. She further said that she wants to accompany her father and not respondents. However, the version of the respondent No.7 is that he has married to detune Gudi, which is categorically refuted by the petitioner, the father of detenue, as well as detenue herself.

In this regard, today SIP Saboo Khan, Additional SHO P.S Gadap City, Malir Karachi, who is present in Court, will record the statement of detenue and take action against the respondents accordingly (as per law) and furnish a report in this Court within three days from today through Additional Registrar of this Court, whereas, the detenue Gudi is set at liberty and allowed to go with her father/petitioner.

With the above observation and directions, this petition stands disposed of.

JUDGE

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

R.A No. 83 of 2014
C.P No.S- 175 of 2014

DATE	ORDER WITH SIGNATURE OF JUDGE
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16.12.2016.

Mrs. Razia Ali Zaman Khan Patoli, Advocate for applicants in R.A No. 83 of 2014 and for petitioner in C.P No.S- 175 of 2014.

Mr. Irfan Ahmed Qureshi, Advocate for respondent No.5 in R.A No.83 of 2014 and for respondent No.1 in C.P No.S- 175 of 2014.

Mr. Allah Bachayo Soomro, A.A.G for official respondents in R.A No. 83 of 2014.

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On the request of Mrs. Razia Ali Zaman Khan Patoli, the learned Counsel for applicants in R.A No. 83 of 2014 as well as for petitioner in C.P No.S- 175 of 2014, the matter is adjourned. However, this adjournment is opposed by Mr. Irfan Ahmed Qureshi, the learned Counsel for private respondent(s), on the ground that restraining orders are operating against him.

Keeping in view the above, office is directed to fix this matter on 17.01.2017. Interim order passed earlier to continue till next date of hearing.

JUDGE

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

R.A No. 151 of 1996

DATE	ORDER WITH SIGNATURE OF JUDGE
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For regular hearing.

16.12.2016.

Mr. Arbab Ali Hakro, Advocate for the applicants.
Mr. Jhamat Jethanand, Advocate for private respondents.
Mr. Allah Bachayo Soomro, A.A.G for official respondents.

This is a longish matter and cannot be heard today being Friday.

It is a Revision Application of year 1996 and therefore, office is directed to enlist the same in the category of old matters so that it may come up at 11:00 a.m.

Adjourned to a date in office.

JUDGE

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

R.A No. 41 of 1989

DATE	ORDER WITH SIGNATURE OF JUDGE
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For regular hearing.

16.12.2016.

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

Mr. Naimatullah Soomro, Advocate for respondents No.1,3 and 4.

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This is a longish matter and cannot be heard today being Friday.

Since it is a Revision Application of year 1989, therefore, office is directed to enlist the same in the category of old matters so that it may come up at 11:00 a.m.

Adjourned to a date in office.

JUDGE

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

R.A No. 254 of 2011

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For Katcha Peshi.
2. For hearing of C.M.A 640/2011

16.12.2016.

Syed Tariq Ahmed Shah, Advocate for applicant.

Mr. Farhad Ali Abro, Advocate for respondent.

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Counsel for both parties have submitted their arguments and this Revision can be disposed of by narrowing down the controversy.

Since the impugned order (10.08.2011) has granted a conditional leave to the present applicant to defend the summary suit No. 10 of 2011, on furnishing 'Bank Security', which the Counsel for the applicant states, means that he has to furnish Bank Guarantee of the equivalent amount of claim which is Rs.750000/-. It is further stated that he has raised triable issues in his defence before the learned Trial Court and that is why a conditional leave was granted but the terms are quite harsh, as he is suffering from acute financial constraint and cannot furnish a Bank Guarantee, which can only be issued against depositing Rs.750000/- with the Bank. He, however, pleads to furnish title documents of an immovable urban property before the Nazir of the learned Trial Court. On the other hand respondent's Counsel has disputed that triable issues have not been agitated by the applicant's side.

Be that as it may and without touching upon the merits of the case, this Revision Application is disposed of by modifying the impugned order only to the extent that the applicant himself or anyone else on his behalf can furnish an alternate security, instead of furnishing Bank Guarantee, of the equivalent

amount, *inter alia*, by depositing the original title documents of an urban immovable property having the same or higher value to the satisfaction of Nazir of the learned Trial Court. In this regard, Nazir will comply with other requisite formalities (as per rules).

It is expected that being a summary suit the learned trial court will decide it in an expeditious manner and preferably within three months from today, without granting unnecessary adjournments to any party, which is usually sought with an object to delay the matter.

Revision Application alongwith listed application stands disposed of in the above terms.

JUDGE

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

R.A No. 21 of 2003

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on application dated 27.04.2016.
2. For regular hearing.

16.12.2016.

Mr. Jawaid Choudhry, Advocate for private respondents.

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Mr. Abdul Rasheed Mughal, Advocate, holding brief for Mr. Arbab Ali Hakro, Advocate, who represents applicants, is reported to be busy before Bench No.1 today and request for adjournment is made on his behalf. Mr. Jawaid Choudhry, learned Counsel representing respondents though has opposed this request for adjournment on the ground that this case despite being red cover file is not proceeding for the past many years.

It is a Revision Application of year 2003 and therefore, office is directed to enlist the same in the category of old matters so that it can be fixed in the category of old cases, which are fixed at 11:00 a.m.

Adjourned to a date in office.

JUDGE

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

R.A No.24 of 1997

DATE	ORDER WITH SIGNATURE OF JUDGE
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For Regular Hearing.

16.12.2016.

None present for applicant.

Mr. Jhamat Jethanand, Advocate for private respondents.

Mr. Allah Bachayo Soomro, A.A.G for official respondents.

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On account of absence of applicants' side, the matter is to be adjourned.

Adjourned to a date in office.

JUDGE

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

R.A No. 324 of 2016

DATE	ORDER WITH SIGNATURE OF JUDGE
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For further orders as Counsel for applicant has not paid cost nor supplied the copy for issuance of notices to respondents.

16.12.2016.

None present.

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This matter has been called twice since morning. On 22.11.2016 a detailed conditional restraining order was passed in favour of applicant. Today office has put up a note that applicant's side has not even deposited the cost nor completed other formalities. It has been further informed that the earlier order was also not complied with. In these circumstances, restraining order granted on 22.11.2016 stands vacated/recalled.

Adjourned to a date in office.

JUDGE