

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Suit No. 1318 of 2017

Date	Order with signature of Judge
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- 1. For order on CMA No.16073/2017
- 2. For order on CMA No.16074/2017
- 3. For order on CMA No.16075/2017

21.11.2017

Plaintiff is present a/w his counsel Mirza Adil Baig advocate.
Syed Amir Ali Shah Jeelani advocate for the defendant No.1.
Amir Khan, defendant No.1 is also present.

1. Urgency granted.
2. Learned counsel for the plaintiff does not press this application which is dismissed as not pressed.
3. This is a compromise application (CMA No.16075/2017).
Basically, in this case, the plaintiff has claimed that the defendant No.1 is ostensible owner of land bearing survey No.349, Deh Safooran, Sub-division Airport, District Malir, Karachi. The copy of indenture of lease dated 26.06.2014 is available at page No. 19 which shows the defendant No.1 as lessee of the property. Now, the plaintiff and defendant No.1 have resolved their dispute amicably and the defendant No.1 is agreed to execute the sale deed in favour of the plaintiff within one month. In the compromise application, the plaintiff and defendant No.1 have also agreed that in case of default by the defendant No.1, the Nazir may be allowed to execute the conveyance deed on behalf of the defendant No.1. There is no impediment to record the compromise but the role of Nazir is

not proper at this stage as after decreeing the suit and in case of default the plaintiff may file the execution application without approaching the Nazir directly. With this modification, the compromise is recorded. So far as the case against the defendant No. 2 & 3 is concerned, the same is dismissed as not pressed.

JUDGE

Aadil Arab