

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
Suit No. 549 of 2018

Date	Order with Signature(s) of Judge(s)
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1. For hearing of CMA No. 15196/2020.
2. For hearing of CMA No. 15197/2020.

12.02.2021

Mr. Shabbir Ahmed Shaikh, Advocate alongwith plaintiff.

Mr. Muhammad Shafiq, Advocate alongwith defendant No.1.

1. By means of this application, jointly filed on behalf the plaintiff and defendant No. 1, under Order XXIII, rule, 3 C.P.C., signed by the plaintiff and defendant No. 1, duly supported by their affidavits, the parties seek a compromise decree on the terms and conditions mentioned in the application, which are reproduced as under:-

1. *That plaintiff is the absolute and exclusive owner of 16 acres of surveyed land # 401,402,403 & 404 in Naiclass No. 308 Deh Joreji at Taluka Karachi (East) having lease hold rights for 99 years by virtue of lease Agreement Deed dated 22<sup>nd</sup> July 1993.*
2. *That the defendant No. 1 has no right and interest what so ever in and claim and title to said 16 acres of land in Na class No. 308 Deh Joreji Taluka Karachi East or any part thereof.*
3. *That the plaintiff and defendant No. 1 have settled all the disputes including the dispute pending in this suit and Land Utilization Department.*
4. *That the defendant No. 1 admits and acknowledges receipt of Rupees Five Million through cheques from his brother the plaintiff as compensation for settlement of all disputes.*
5. *That the defendant No. 1 undertakes to withdraw all complaints, claims and applications filed by her against the plaintiff before Land Utilization Department or any other department or any proceeding pending in any court and she further undertakes to appear before such department or court as and when required.*
6. *That the plaintiff and defendant No. 1 have no claim against each other.*

Plaintiff as well as defendants No. 1 are present in Court. They affirm the contents of this application as well as accompanying affidavits and verify their signatures thereon. The compromise application appears to have been filed by the parties without any compulsion, coercion and pressure; hence the same is allowed and in result thereof the instant suit is decreed against defendant No. 1 in terms of the compromise arrived at between the parties mentioned above.

2. By means of this application, the plaintiff seeks withdrawal of the instant suit against defendants No. 2 to 4, on the ground that the dispute between the plaintiff and defendant No. 1 has been settled.

Since the suit has been decreed against defendant No. 1, there is no impediment in allowing this application; hence, the same is allowed and in result thereof, the suit stands dismissed as withdrawn against defendants No. 2 to 4 , alongwith pending application(s), if any.

Athar Zai

JUDGE