

Order Sheet
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD

CP No. D- 437 of 2012

DATE	ORDER WITH SIGNATURE OF JUDGE
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27.04.2022

For orders on office objection
For hearing of main case

M/s. Allah Bachayo Soomro, Addl.A.G. & Rafiq Ahmed Dahri, Asstt:
A.G. for Petitioners along with Atta Muhammad Chhajro, XEN Nasrat
(Irrigation)

M/s. Barrister Jawad Ahmed Qureshi & Osama Yousif Parihyar,
Advocate(s) for respondent No.1

When this petition was filed in the year 2011 an injunctive order was obtained; however, this petition remained pending on the count that the petitioners have attempted to avail remedy before Honourable Supreme Court. The said order was passed by Honourable Supreme Court on 31.1.2014 whereby the petition was dismissed for non-prosecution. The restoration application too was dismissed on 8.4.2014 as no plausible reasons were provided for its restoration. Since then this petition is pending for no reason at all. The decretal amount is being enjoyed by the petitioners. They have only deposited the cheque of principal amount which too has not encashed, only solitary cheque is lying with the Additional Registrar. The decree speaks for itself as affirmed by Honourable Supreme Court. There is nothing for us to interfere in the order. The execution proceedings may continue and the decretal amount be ordered to be recovered by the Executing Court as deem fit and proper at the earliest as no further time shall be wasted by the Executing Court. The petition being misconceived is dismissed.

JUDGE

JUDGE