

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

R.A. No.157 of 2006

DATE

01.06.2018

ORDER WITH SIGNATURE OF JUDGE

For hearing of CMA 1119/18

Mr.Arbab Ali hakro, Advocate for applicant No.i.

Mr. Sundardas, advocate for Respondent i.e now Applicant No.ii

Mr. Allah Bachayo Soomro, Addl.A.G alongwith Mohammad Akram  
Kumbhar, Mukhtiarkar Shahdadpur.  
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By means of this application under Order-23 Rule-3 C.P.C [CMA No.1119 of 2018], the legal Representatives of the deceased applicant viz. Muhammad Khan son of late Haji Muhammad Laiq i.e. [i] Mst. Sakina wd/o Muhammad Khan and [ii] Dr. Haji Khan son of late Haji Muhammad Laiq [already Respondent No.1] are seeking disposal of the instant Revision Application No.157 of 2006 in terms of the 'compromise' Application as follows:-

1. That the revision may be allowed. That the judgment and Decree passed by the learned Additional District Judge, Shahdadpur dated 11.3.2006 and 18.03.2006 in Civil Appeal No.21 of 2003 may be set-aside and the judgment and Decree dated 30.09.2003 and 04.10.2003 passed by Senior Civil Judge Shahdadpur in Suit No.38 of 1992 may be restored.
2. That consequently the parties shall be having shares in the suit property as under:
  - (i) Mst. Sakina wd/o Muhammad Khan applicant No.1(i)  
25 paisa
  - (ii) Haji Khan applicant No.1(ii)/ Respondent No.1.  
75 paisa
3. The record of right be mutated accordingly by Respondent No.3.
4. That the costs shall be borne by the parties and instant Revision application may be disposed of accordingly.

Both the Applicant No.(i) viz. Mst. Sakina wd/o Muhammad Khan having CNIC No.44204-8444139-6 and the Applicant No.(ii) viz. Dr. Haji Khan son of Late

Haji Muhammad Laiq [already Respondent No.1], having CNIC No.42301-2940171-5, are present in Court not only admit the contents of the compromise Application under Order-23 Rule-3 C.P.C [CMA No.1119 of 2018], but also admit their signatures thereon. The learned counsel for the parties beside verifying the signatures of the applicants admit the contents of the compromise Application under Order-23 Rule-3 C.P.C [CMA No.1119 of 2018], as being correct and lawful. Besides, both the learned counsel for the parties have also signed the compromise Application under Order 23 Rule-3 CPC bearing CMA No.1119 of 2018.

Learned Additional Advocate General Sindh, on the instruction of Mukhtiarkar Shahdadpur / Respondent No.3 who is present in Court, states that the Official Respondents; have no concern with the subject matter. The learned A.A.G, as such, on instruction extended his 'no objection' to the grant of this Compromise Application (CMA No.1119 of 2018).

For and in view of the above, the instant Compromise Application viz [CMA No.1119 of 2018], is granted and consequently the Revision Application No.157 of 2006 stands 'disposed of' in terms of the Compromise Application alongwith the pending Application[s], if any.

sd/- AZIZ-UR-REHMAN,  
JUDGE.