

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
**High Court Appeal No.138 of 2015**

<i>Date</i>	<i>Order with signature of Judge</i>
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**Hearing (Priority) Case:**

1. For orders on office objection.
2. For hearing of main case.
3. For hearing of CMA No.1292/2015

**18.03.2022:**

Mr. R. B. Qureshi, advocate for the appellant.  
Mr. Muhammad Yaseen Azad, advocate for the respondent.  
Mr. Imran Ahmed Abro, AAG.

Mr. Karamuddin Junejo, Nazir present in person.

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After arguing the matter at some length and while confronted to point out any factual error or legal infirmity in the impugned order passed by the learned Single Judge of this Court in execution proceedings, particularly, when judgment and decree in the instant case has attained finality, whereas, the issue relating to application of Section 28-A CCPC has been decided by Hon'ble Supreme Court in the case of ***Dilawar Hussain and others V. Province of Sindh and others (PLD 2016 SC 514)***, learned counsel for the appellant does not press instant High Court Appeal, which has attained finality, whereas, the issue regarding amount of compensation under Section 28-A CPC has also been decided by the Hon'ble Supreme Court in the above cited judgment. It has been submitted that instant High Court Appeal may be disposed of in the light of above judgments and amount deposited before the Nazir of this Court may be

released in favour of the respondent after proper verification and identification.

Accordingly, instant High Court Appeal stands disposed of in the above terms along with listed application. Nazir is directed to release the amount to the respondent along with profit accrued thereon after proper verification and identification within fifteen (15) days from the date of receipt of this order.

Nadeem, PA

**JUDGE**

**JUDGE**

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
**Const. Petition No.D-1308 of 2022**

<i>Date</i>	<i>Order with signature of Judge</i>
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**Priority:**

1. For orders on CMA No.7808/2022.
2. For orders on office objections.
3. For hearing of CMA No.5879/2022
4. For hearing of main case.

**18.03.2022:**

Mr. Shahab Imam, advocate for the petitioner.  
Mr. Hussain Bohra, Asstt. Attorney General.  
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Learned counsel for the petitioner seeks urgency as the matter was fixed on 16.03.2022, however, the same could reach and discharged, whereas, the petitioner company are facing serious financial constraints. Urgency application is granted.

Let this matter be fixed on 30.03.2022 after notice to all concerned. In the meanwhile, if there is no legal impediment respondents may remove the hold from the subject consignment of the petitioner.

**JUDGE**

**JUDGE**

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
**High Court Appeal No.40 of 2022**

<b>Date</b>	<b>Order with signature of Judge</b>
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**Hearing (Priority) Case:**

1. For orders on office objection.
2. For hearing of main case.
3. For hearing of CMA No.242/2022

**18.03.2022:**

M/s. Amna Salman, Muhammad Jibrán Nasir & Saifullah Sachwani, advocates for the appellants.  
Mr. Ghulam Akbar Lashari, advocate for the respondent.

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Learned counsel for the appellants submits that the appellant has given an undertaking in writing to the effect that the appellant will vacate and hand over the peaceful possession of the subject premises to the respondent on or before 30<sup>th</sup> June, 2022, whereas, notice of lease termination dated 1<sup>st</sup> February, 2022, has also been filed by the appellant, hence, prays that instant High Court Appeal may be disposed of in view of the undertaking given by the appellant by directing the respondents not to seek eviction of the appellant from the subject premises before the expiry of aforesaid period.

Learned counsel for the respondent under instruction does not oppose disposal of instant High Court Appeal in the aforementioned terms, however, submits that in case the appellant will not vacate the subject premises on or before the 30<sup>th</sup> June, 2022, Nazir may be directed to seek eviction of the appellant along with police aid. Order accordingly.

Instant High Court Appeal stands disposed of in the above terms along with listed application.

**JUDGE**

**JUDGE**