

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
**II-Appeal No. 35 of 2021**

Date	Order with signature of Judge
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1. For orders on M.A No. 1984 of 2021 a/w office objection.
2. For hearing of M.A. No. 937 of 2021. (Stay).
3. For hearing of main case.

**28<sup>th</sup> April 2021**

Mr. Behzad Haider, advocate for appellant.  
Mr. Farrukh Usman, advocate for respondents No. 1 and 2.  
Mr. Pervez Ahmed Mastoi, Asst. A.G. Sindh.

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Learned AAG has brought Cheque No.311455 dated 23.04.2021 of Rs.25,77,920/- issued by Deputy Director (Accounts) and Project Director Local Government in favour of Nazir of this Court. Accordingly, that shall be deposited with the Nazir of this Court. Office shall transmit the same to the Nazir. At this juncture, learned counsel for the appellant contends that his client seeks disposal of this appeal as appellant is ready to pay compensation of Rs. 2000000/- [Rupees Twenty Lac Only), whereas, he has deposited 25,00,000/- with the Nazir of this Court, to which learned counsel for the respondent No.1 extends his no objections.

Accordingly, Instant II-Appeal is disposed of in terms that respondents No. 1 and 2 would be competent to receive Rs.2000000/- [Rupees Twenty Lac Only] deposited from the amount of Rs.2500000/- [Rupees Twenty Five Lac only] deposited with the Nazir of this Court by present appellant Sultan Mahmood & Company. Besides, Government has not filed appeal against the findings of both courts below. Accordingly Respondents No. 1 and 2 would be competent to receive that amount. At this juncture, learned AAG contends that though they have not filed appeal but they intend to file the same. Needless to mention that without prejudice to the merits of the case against Province of Sindh, an amount of Rs. 25,77,920/- shall be released in favour of Respondent No. 1 and 2 on P.R. Bond of equivalent

amount. Accordingly, decree shall be considered as satisfied to the extent of present appellant and remaining portion of Rs.500,000/- deposited shall be returned to the appellant.

Sajid

**J U D G E**