

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 3964 of 2016

Date of hearing	Order with signature of Judge
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Hearing of case (priority)

1. For hearing of CMA No.11267/2016 (Stay/App)
2. For hearing of main case

05.10.2023

Mr. Tariq G.Hanif Mangi, Advocate for petitioners.
Mr. Jamshed Ahmed Faiz, Advocate or respondents No.6 & 7.
Mr. Ahmed Ali Shahani, Assistant Advocate General Sindh.

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After hearing both the parties, it has been decided with the consent that respondents No.6 & 7 shall withdraw their Appeal under Section 161 of Sindh Revenue Act, 1967, pending before Assistant Commissioner, Mirpur Mathelo, challenging long standing entry in favour of petitioners' predecessor-in-interest, and file a declaratory Suit in the relevant Civil Court. The Civil Court would not attend to the issue of limitation, if such Suit is filed before it due to the reason of pendency of this petition since 2016, in which respondents have been continuously contesting the matter and are before the Court. This exercise, however, will be done within a period of two (02) months. If within a period of two (02) months, the proceedings before the Assistant Commissioner are not withdrawn or a Civil Suit is not filed, the concession granted to the respondents qua limitation by this order would automatically stand withdrawn.

Petition stands **disposed of** along with listed application, in the above terms.

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