

IN THE HIGH COURT OF SINDH KARACHI

SUIT NO. 1354 OF 2022

Mst. Aftab Fizza & others Plaintiffs

versus

Raheel Qaiser Defendant

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SUIT NO. 1641 OF 2022

Raheel Qaiser Plaintiff

versus

Shahid Raza Defendant

Mr. Ammar Suria, advocate for plaintiff in Suit No.1354 of 2022 and for defendant in Suit No.1641 of 2022.

Date of hearing : 11-11-2024

Date of Judgment : 14-11-2024

ORDER

Omar Sial, J.: Suit No. 1354 of 2022 was filed on 08.09.2022 by Aftab Fizza, Shahan Raza, and Shahid Raza against Raheel Qaiser. They prayed for a declaration, permanent injunction, mandatory injunction, and damages.

2. Suit No. 1641 of 2022 was filed on 25.10.2022 by Raheel Qaiser against Shahid Raza, Aftab Fizza, Shahan Raza and Salman Raza. He too, prayed for a declaration, permanent injunction, specific performance and damages.

3. The dispute arose from an agreement to sell concerning property bearing address No. C-48, Block No. 16, Gulistan-e-Jauhar, Karachi, built over a 600-square-yard area.

4. The parties reached a compromise, and have jointly filed an application under Order XXIII Rule 3 (CMA 3305 of 2024).

The application highlights the terms upon which the compromise was effected. It is signed by Raheel Qaiser and Shahid Raza, as well as their respective counsels. The learned counsel representing Aftab Fizza, Shahan Raza, Shahid Raza and Salman Raza has represented that Shahid signed the compromise for himself and on behalf of Aftab Fizza, Shahan Raza and Salman Raza.

5. Through the application, the parties have prayed that both Suits be decreed in terms of the compromise. Mr. Ammar Suria represented Shahid Raza in both Suits. Mr. Suria confirmed the compromise. None appeared on behalf of Raheel Qaiser.

6. The parties have reached a compromise confirmed by themselves in person and through their respective counsels. There is no other claimant. There appears to be no impediment in allowing the compromise. Accordingly, the suit is decreed under Order XXIII Rule 3 in terms of the compromise contained in CMA 3305 of 2024.

JUDGE