

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C. P. No. D-6344 of 2023

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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D/O Matter
For order on CMA No.5998/2024 (Review).

Dated 07.10.2024

Mr. Babar Ali Shaikh, Advocate for the petitioner.

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On some extraneous grounds, this review application has been filed which is supported by an affidavit. We have perused the application as well as the affidavit in support thereof. The execution of a decree in Suit No.674/2014 was objected on the count that a suit for performance is pending. A suit for possession cannot be delayed only on the proposition that the suit for performance is pending before another Court. Since there were concurrent findings, this Court reached a conclusion as reflected in the order dated 16.02.2024. The petitioner may have moved an application under Order XXI Rule 29 CPC which is pending and may have been reflected in the order of 16.02.2024 otherwise, however, it may be taken to its logical end as deemed fit and proper by the concerned Court without being influenced by such observation. The petitioner for the dismissal of petition, however, has not made out a case for this Court to review the order referred above in view of the concurrent findings and the reasoning assigned in the order. Review application is disposed of accordingly with above understanding.

CHIEF JUSTICE


JUDGE