

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Suit No.264/2008

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DATE ORDER WITH SIGNATURE OF JUDGE

1. For orders on CMA No.12720/16
2. For orders on CMA No.12721/16

05.9.2016

Mr. Zia-ul-Haq Makhdoom for plaintiff
Mr. Ashraf Ali for defendants
.X.X.X.X

1. Urgency application granted.
2. Learned Counsel for the plaintiff submits that they have filed a suit for specific performance which is pending adjudication when defendant expired, however after the sad demise of Muhammad Afsar Baig who was enjoying title of the subject property, the legal heirs of the deceased reached to a settlement, terms of which are incorporated in compromise application bearing CMA No.12721/16. Learned Counsel submits that one of the legal heirs namely Uzma is being represented by her attorney namely Naseem Bano being mother. The original Power of Attorney is seen and returned copy of the same is already available on record. Learned Counsel submits that during pendency of this suit Miss Azra, one of the daughters of the deceased also expired who's share devolved amongst her legal heirs who are same as that of deceased Muhammad Afsar Baig since she was unmarried. All the parties are in attendance except Mst. Uzma who is represented by Mst. Naseem Bano. Ashfaq Ahmed the plaintiff is present who is identified by learned Counsel appearing for the plaintiff. The legal heirs of deceased Muhammad Afsar Baig have also filed their respective affidavits. They have also agreed to the terms of compromise and submit that they have gone through the same. The compromise seems to be within the frame of the suit and lawful. The suits is decreed in terms of the application under Order XXIII Rule 3 CPC. Decree be drawn accordingly.

Judge