

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

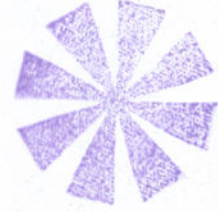
Suit No.2401 of 2014

Date	Order with signature of Judge
------	-------------------------------

1. For orders on CMA 11946/15
2. For orders on CMA 11947/15
3. For hearing of CMA 11203/15

Dated: 26.08.2015

Mr. M. Siddiq Khiyani for plaintiff.
Mr. Moin Azhar Siddiqui for defendant No.2.
Mr. Tufail H. Ebrahim for defendant No.6.



1) Granted.

2) This is suit for specific performance filed by the plaintiff against the defendants. Through this application jointly filed by plaintiff and defendant No.2 they seek disposal of suit in terms of compromise between the parties. It appears that in terms of clause 3 of the compromise application certain amount has been agreed to be paid to the plaintiff by defendant No.2. Although the scope of this suit is only limited to specific performance of agreement however the pleadings shows that certain amount towards sale consideration was paid by the plaintiff and in lieu thereof compromise has been reached, the terms of which are incorporated in this compromise application and hence all learned counsel submit that since it has been pleaded that certain amount was paid therefore it would be considered to be within the scope of the suit. Accordingly, in view of the above and in presence of both the signatories of the compromise application, I allow this application. The pay order of Rs.3 Million is handed over to the plaintiff in Court today by the defendant No.2 in compliance of the terms of compromise who acknowledge receipt thereof. Insofar as claim against rest of the defendants is concerned, plaintiff does not press the suit against them. Order accordingly.

Judge