

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

**Present:
Mr. Justice Muhammad Shafi Siddiqui, CJ
Mr. Justice Jawad Akbar Sarwana**

High Court Appeal No.14 of 2025

Mrs. Sara Mehmood Mehkari & others
Versus
Nasim Baig & others

Date	Order with signature of Judge
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1. For orders on CMA 150/25
2. For orders on office objection a/w reply as at "A"
3. For orders on CMA 151/25
4. For hearing of main case.
5. For orders on CMA 152/25

Dated: 30.01.2025

Mr. Irfan Aziz for appellants.

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On 12.09.2024 the subject suit was disposed of by way of a joint statement made to the Court with direction to draw the decree accordingly. The outcome/crux of joint statement was that the defendants/appellants were under obligation to cease the operation of school by 20.12.2024 and decree to such an extent was drawn. Mr. Irfan Aziz, learned counsel appearing for the appellants on 16.12.2024, then perhaps moved an application for recalling order dated 12.09.2024 whereby decree by consent was drawn, and extension for another seven months. The application was opposed by the contesting parties and via impugned order not only the recalling of the order but the extension was also declined, hence this appeal.

We have heard learned counsel for the appellants and perused record.

As far as the impugned order dated 20.01.2025, which essentially dismissed the application for recalling/extension of the time in vacating the school premises in operation of the school as well, is concerned, in the first instance the learned Single Judge became functus officio once the lis was disposed of and that too by consent of the parties. The decree has to be executed as drawn. Indeed, the consent order of the parties could not be vitiated on a solitary request of an individual/entity, i.e. the appellants, who seek recalling of order and/or decree and extension of time for vacating the premises.

It is also pertinent to note that the appellants have also impugned order dated 12.09.2024, which on the face of it is barred by time and there is no explanation of whatsoever nature and/or application in respect thereto is filed.

In view of above, there is nothing for us to interfere and intervene in the impugned orders and consequently the appeal merits no consideration and the same is accordingly dismissed in limine along with listed applications.

Chief Justice

Judge