

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI
Criminal Appeal No.474 of 2019

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For orders on MA No.10786/2020
- 2. For hearing of MA No.10788/2020
- 3. For hearing go mail case
- 4. For hearing of MA No.10787/2020

08.09.2026

Mr. Abdul Wahab Baloch, Advocate for the Appellant
Mr. Qamruddin Nohri, DPG

On the last date of hearing, notices were issued to respondents No.1 and 2 as well as to their counsel; however, none appeared on their behalf. It is, however, noted that a statement dated 09.09.2024, submitted by Mr. Tariq Mehmood, learned Advocate for respondents No.1 and 2, is available on record, which is reproduced herein-below:

“I undersigned advocate on behalf and under Respondents Nos. 1 and 2, namely Jamshad Hussain s/o Muhammad Moosa and Aslam s/o Nazir Masih do hereby submitted as under:-

- 1. That Respondents Nos. 1 and 2, Jamshad Hussain s/o Muhammad Moosa and Aslam s/o Nazir Masih is in possession of the Flat No. 101, Blue Toober, Plot No. F-44. Street No.4. Block-5, Karachi (Subject property of the Criminal Appeal).
- 2. That the Respondents No. 1 and 2, are ready to surrender their right and possession of the subject property in favour of the appellant and will not claim any interest in future in case of otherwise the appellant to put in possession through Nazir of this Hon'ble Court.

Prayed accordingly.

Karachi.
Dated:09 Sep, 2024 TARIQ MEHMOOD ADVOCATE FOR
THE RESPONDENTS NOS. 1 AND 2”

After submission of the aforesaid statement, respondents No.1 and 2 have neither shown their appearance before this Court nor the matter has been adjudicated upon. The present criminal appeal pertains to the year 2019 and has remained pending for the last seven years. In their statement, respondents No.1 and 2 have clearly stated before this Court that they are willing to surrender their right and possession in respect of the subject property in favour of the appellant and shall not claim any interest therein,

in future. In view of the above statement, it appears that the matter has been settled between the parties. Therefore, there is no useful purpose in keeping this appeal pending any further, particularly when the respondents have not appeared despite notice.

In view of the above circumstances, the possession of the subject property shall be restored to the appellant. The Nazir of this Court is directed to do the needful. The appeal stands disposed of in the above terms.

JUDGE

Suleman Khan/PA

