

Muhammad Ilyas Vs Muhammad Sahib

28

Order...47
27.10.2022

Present:

Plaintiff along with counsel.

Defendant along with counsel.


Brief facts of the case are that plaintiff has filed the instant suit for specific performance of partnership deed to the effect that the defendant be directed to perform his part in construction and running of business in shape of a private School. The plaintiff also prayed for permanent and mandatory injunction, rendition of accounts and damages as alternative reliefs.

Today the case was fixed for final arguments after the closing of evidence of both the parties previously but both the parties appeared before the court and stated that they have patched up the matter amicably and are willing to perform their respective part in the business partnership according to the partnership deed. The defendant submitted before the court that he has no objection if the suit is decreed in favor of the plaintiff up to the extent of specific performance of contract. In this respect joint statement of plaintiff and defendant is recorded upon their own free will and have affixed their thumb impression and their CNICs are Ex.PA and Ex.PB.

Thus, in the light of the aforesaid facts and circumstances, the suit is hereby decreed up to the extent of Specific performance of the contract as prayed for. The other reliefs claimed in alternative against the defendant in the instant case remained unaddressed and unnecessary in present development. However, this decree shall be effective to the extent of parties to the suit and it shall not affect the rights of any third person.

File be consigned to record room after its necessary completion and compilation.

Announced
27.10.2022


Sami Ullah
Civil Judge-I,
Orakzai at (Baber Mela)