

ORDER SHEET.

IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

Civil Revision No. 143/2019.

Habib Ahmed Raafey

Versus

Ijaz ul Haq, etc.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	14.10.2019.	Mr. Salman Yousaf Khan, Advocate for petitioner. Hafiz Farman Ullah, Advocate for respondent No.2.

Through this Civil Revision, the petitioner is aggrieved with the order dated 13.06.2017, passed by learned Civil Judge, 1st Class, (West) Islamabad, whereby petitioner's application U/O VII Rule 11 CPC was dismissed.

2. Learned counsel for the petitioner contends that petitioner filed an application U/O VII Rule 11 CPC which was dismissed without any legal basis, however, he contends that respondent/plaintiff is under legal obligation to comply with the spirit of recent pronouncement of the Apex Court referred in 2017 SCMR 2022 (Hamood Mehmood Vs. Mst. Shabana Ishaque), whereby plaintiff has to comply with the terms of agreement and to submit his balance sale consideration before proceeding further in the civil suit of specific performance, especially when the fact has been acknowledged by the respondent/plaintiff in the Para-8 of the plaint; that instant civil revision may be disposed of in the light of said observations without

prejudice to the merits of the case.

3. Keeping in view the above background, instant civil revision stands *disposed of* with direction to the learned trial Court seized with the matter to conclude the matter within period of three months under intimation to this Court in the light of judgment of Apex Court referred above.

(MOHSIN AKHTAR KAYANI)
JUDGE

Zahid