

Form No: HCJD/C-121

JUDGMENT SHEET.

IN THE ISLAMABAD HIGH COURT,
ISLAMABAD.

Civil Revision No.350 of 2019

M/s Florence Farmceutics (Pvt.) Limited through its Director and 04 others.

Versus

Mrs. Shahida Bano.

Petitioners by : Mr. Akhtar Aziz Khan, Advocate.

**Respondents by : Mr. Muhammad Ilyas Shaikh and
Muhammad Shabbir Shaikh,
Advocates.**

Date of Decision : 18.08.2020

AAMER FAROOQ, J. - For the reasons recorded in my detailed judgment of even date passed in connected Civil Revision No.01 of 2019, the instant Civil Revision is **disposed of** accordingly.

(AAMER FAROOQ)
JUDGE

M. Zaheer Janjua

Form No: HCJD/C-121

JUDGMENT SHEET.

IN THE ISLAMABAD HIGH COURT,
ISLAMABAD.

1. Civil Revision No.01 of 2019

Salah-ud-Din and 03 others.

Versus

Mrs. Shahida Bano and 06 others.

2. Civil Revision No.350 of 2019

M/s Florence Farmceutics (Pvt.) Limited through its Director and 04 others.

Versus

Mrs. Shahida Bano.

Petitioners by : Mr. Akhtar Aziz Khan, Advocate.

**Respondents by : Mr. Muhammad Ilyas Sheikh and
Muhammad Shabbir Sheikh,
Advocates.**

Date of Decision : 18.08.2020

AAMER FAROOQ, J. - This order shall dispose of the instant Civil Revision as well as Civil Revision No.350 of 2019, as common questions of law and facts are involved.

2. The petitioners filed a suit for specific performance alongwith injunction against the respondents. The subject matter of the suit was property obtained on lease by the petitioners from the respondents allegedly for a period of thirteen years. Alongwith the suit an application for interim relief was filed. At the time of the institution

of the suit, summons were issued and in the application for interim relief notices were also issued and ad-interim injunction was granted to the effect that the respondents were restrained from dispossessing the petitioners illegally and unlawfully from the suit property subject to notice. It was also mentioned that in case the ad-interim order is not extended, the same shall lapse. The interim relief granted was not extended on 23.10.2017 i.e. the next date of hearing but was extended on 20.11.2017. The petitioners were meanwhile dispossessed and they filed an application for contempt of Court. In the referred proceedings, learned Trial Court vide order dated 01.10.2018 allowed the application and status quo ante order was passed. Appeal was preferred by the respondents in which the decision was reversed, vide order dated 11.12.2018 and the matter was remanded to the learned Trial Court to decide the application afresh after recording evidence. Meanwhile, in the suit the application for interim relief was dismissed, vide order dated 19.03.2019 by learned Trial Court on account of the fact that since the petitioners have been dispossessed, the same has become infructuous. Appeal, preferred against the said order, was also dismissed on 21.06.2019. Against the said order, the petitioners have instituted Civil Revision No.350 of 2019.

3. In view of the above background, after arguing the case at considerable length, learned counsel for the petitioners submits that he shall be satisfied, if direction be issued to the learned Trial Court to decide the contempt application expeditiously. Learned counsel for the respondents has no objection to the same.

4. In view of the above, the abovementioned civil revisions are **disposed of** with direction to the learned Trial Court to decide the contempt application of the petitioners expeditiously preferably within four (04) weeks from the date of receipt of this order. In case the possession of the petitioners is restored, they may file a fresh application seeking a restraining order in the suit, in question.

(AAMER FAROOQ)
JUDGE

M. Zaheer Janjua