

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
C.P No.S-309 of 2004

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DATE                      ORDER WITH SIGNATURE(S) OF JUDGE(S)  
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For hearing of Main Case

**27.10.2015**

Mr. Kashan, advocate holding brief for  
Mr. Naeem Suleman, advocate for the Petitioner.  
Mr. Tanveer Ahmed, advocate for the Respondent.

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This petition is pending since 2004. Mr. Naeem Suleman, advocate filed his power on behalf of the petitioner on 26.11.2008 but he never appeared in Court. On 12.12.2008 none was present for the parties. On 31.01.2009 none was present for petitioner. On 27.3.2009 brief held on behalf of the petitioner's counsel. On 24.4.2009, 13.10.2009, 29.8.2013, 24.10.2013 13.2.2014 & 06.8.2014 none was present on behalf of the petitioner. On 21.10.2015 at the request of learned counsel for the petitioner matter was adjourned to today (27.10.2015) and time was fixed as at 11:00 a.m with a note of caution that if learned counsel for the petitioner fails to attend or satisfy the Court about the maintainability of this petition against remand order this petition will be dismissed with cost. Today he was not present at 11:00 a.m and now it is 1:00 p.m and Mr. Kashan, advocate seeks adjournment on behalf of the petitioner. In view of my order dated 21.10.2015 I have no option, this petition is dismissed with cost of Rs.10,000/- after 11 years and six months on the ground that on each and every date, it was the counsel for the petitioner who remained absent or did not press his petition for decision on merit. Such conduct of counsel for the petitioner amounts to confession of petitioner that he has no case to argue.

J U D G E