

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Suit No.609 of 2017

Date

Order with signature of Judge

- 1.For hearing of CMA No.7010/2017.
- 2.For hearing of CMA No.7011/2017.

25.05.2017

Mr. Haroon Dugal, Advocate for the Plaintiff.
Mr. Abdul Qadir Laghari, Assistant Attorney General.

1. Adjourned.
2. On 24.04.2017, the injunction application was dismissed for non-prosecution, however, on 27.04.2017 counsel for the plaintiff filed application for restoration of the dismissed application. Though the application is supported by the affidavit of authorized representative of the plaintiff but in paragraph 4 it is mentioned that on that date learned counsel was busy in Lahore High Court in six cases and the plaintiff's representative admits his mistake that he could not inform the court on the date of hearing. Notice was issued on this application and on 11.05.2017 the learned Assistant Attorney General sought time to seek instructions, however, no counter affidavit has been filed by him. Learned Assistant Attorney General requests that he may be allowed to file the counter affidavit. It is simply a matter of restoration of injunction application and sufficient cause has been shown in the supporting affidavit that due to preoccupation of the counsel he could not come to Karachi

which explanation in my view seems to be satisfactory. The cases numbers are also mentioned in the affidavit and the learned counsel stated at bar that he was occupied in those cases. The injunction application is restored to its original position with caution that the learned counsel for the plaintiff will be vigilant in future. The application CMA No.7011/2017 is disposed of accordingly.

Judge

Asif