

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

**SuitNo.1419 / 2017**

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Date

Order with signature of Judge  
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For hearing of CMA No.11054/2017 (U/s.151 CPC)

**06.09.2017**

Mr. Nadeem Ahmed Pirzada, advocate for the Plaintiff.

Mr. Hasnain Ali, advocate holding brief for  
Syed Wajahat Abbas, advocate for Defendant.

Ms. Alina Alvi, advocate for Defendant No.2

. . . . .

This case was fixed yesterday and adjourned for today and the counsel for the Plaintiff was required to satisfy the Court regarding payment of ONE Court Fee for the 67 Plaintiffs who own different plots and their building plans would be by their individual choice. Mr. Nadeem Pirzada, counsel for the Plaintiff halfheartedly started arguments but counsel for Defendant No.1 is absent and Ms. Alina Alvi, counsel for Defendant No.2 is also not prepared. However, on examination of the court File it has transpired that the office of Addl. Registrar (O.S) has totally failed to perform its duties of scrutiny of suit files as per Sindh Chief Court Rules. No serious efforts of scrutiny has been done. Yesterday I have noted that objection of nonpayment of Court Fee was not raised by the office and today I have noticed that 67 persons have filed this suit through an attorney and a cursory look at the power of attorney shows that the attorney is not among the Plaintiffs and not only that even CNIC numbers of the Plaintiffs, who have allegedly executed power of attorney for the purpose of filing this suit are not mentioned on it. Even the list of legal heirs is not in accordance with law.

It is, therefore, ordered that Addl. Registrar (O.S) should reexamine the file and ensure that the requirements of plaint as

required in SCCR and Civil Procedure Code are fully adhered to. He should obtain photocopies of CNIC of each of the Plaintiffs as well as separate complete list of legal heirs of each of the Plaintiffs. CNIC numbers should be mentioned on plaint and power of attorney. Noncompliance of this order within 15 days would entail dismissal of the suit for non-prosecution and if compliance is made, the suit may be listed first only for order on the question of payment of Court Fee by each of the Plaintiff.

Adjourned.

JUDGE

*SM*