

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

Suit No.993 of 2014

Date

Order with signature of Judge

For hearing of CMA Nos.

1.8031/2014

2.8431/2014

3.Examination of parties/settlement of issues.

27-04-2018

Mr.Faisal Mehmood Ghani, Advocate for the Defendant.

None present for the plaintiff.

Learned counsel for the defendant pointed out an order dated 7.7.2014 through which by consent the order dated 16.6.2014 was modified to the extent that the defendant shall act strictly in accordance with BPD Circular letter No.17 dated June, 11, 2003 issued by the State Bank of Pakistan. On this order it was further observed that the CMA No.8030/2014 has become infructuous, which was disposed of accordingly. Learned counsel submits that during pendency of the suit the plaintiff has already collected his full and final settlement of dues. He has also attached some documents as annexure R/2 with the written statement showing the details of full and final settlement of the plaintiff.

This is a suit for declaration, damages and permanent injunction which is also fixed for settlement of issues. The matter was fixed on 18.4.2018 but neither the counsel for the plaintiff was present nor the plaintiff and today again the position is same. The date of settlement of issues is date of hearing and due to non-appearance the suit can be dismissed for non-prosecution. Since the plaintiff and his counsel both are called absent it appears they have lost the interest. The suit is dismissed for non-prosecution along with listed applications.

Judge

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