## ORDER SHEET IN THE HIGH COURT OF SINDH, KARACHI

## Adm.Suit No.11 of 2017

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## Date Order with signature of Judge

1.For hearing of CMA No.103/2017 2.For hearing of CMA No.105/2017 3.For hearing of CMA No.107/2017

## 15-12-2017

Mr.Omair Nisar, Advocate for the Plaintiff. Mr.Umer Hayat Sandhu, Advocate for Pakistan Maritime Security Agency (Applicant) Lt. Commander M.Imran-ul-Haq, Director (Legal Affairs) Pakistan Maritime Security Agency is also present in person. Capt. S. Kazim Abbas, Harbour Master, Port Qasim Authority is also present. Mr.Muhammad Umer Lakhani, Advocate for the Applicant/Intervener (Cress L.P.G. Private Limited) Mr.Agha Zafar Ahmed and Ms.Azra Beenish, Advocates for the defendant No.2

None present for the defendant Nos.1, 3, 4, 6 and 7.

Learned counsel for the plaintiff has filed this application under Order 23 Rule 1 CPC. He argued that the matter has been resolved amicably between the plaintiff and defendant No.7, therefore, on instructions he does not want to proceed further. Counsel for the defendant No.2 and the Lt. Commander M.Imran-ul-Haq, Director (Legal Affairs) Pakistan Maritime Security Agency have no objection.

Today, Lt.Commander M.Imran-ul-Haq, Director (Legal Affairs) Pakistan Maritime Security Agency has filed a bill for payment of charges on account of the arrest of defendant No.2, which has been issued by Amjad Rais, Commander, Pakistan Navy, Director (Operations), Pakistan Maritime Security Agency.

Lt.Commander M.Imran-ul-Haq, Director (Legal Affairs) Pakistan Maritime Security Agency requests that though the suit is being withdrawn, but the court may issue directions for the payment of their bill. Mr.Muhammad Umer Lakhani, Advocate on the instructions of Cress LPG Pvt. Limited (Applicant/Intervener) undertakes that at the time of discharge of cargo to the Intervener the dues will be paid to Pakistan Maritime Security Agency. This undertaking is taken on record and it is ordered that the discharge of cargo shall be subject to the payment of dues to Pakistan Maritime Security Agency by the Intervener Cress LPG Pvt. Limited. The arrest orders of the defendant No.2 passed by this court on 02.12.2017 is recalled.

The suit is dismissed as withdrawn along with pending applications. Office is directed to mark CMA number on application under Order 23 Rule 1 CPC.

Judge

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