

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Suit No.427 of 2014

Date	Order with signature of Judge
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- 1.For hearing of CMA No.3305/2017
- 2.For hearing of CMA No.3306/2017

19.12.2017

Ms.Lali Tabassum Khan, Advocate for the Plaintiff.

Mr.Rafique Ahmed Kalwar, Advocate for the Defendant.

On 27.10.2016, when the matter was fixed for hearing of misc. applications as well as main application under Section 20 of the Arbitration Act, 1940, the learned Judge of this court dismissed all the applications for non-prosecution. Learned counsel appearing earlier for the plaintiff was constantly ill, therefore, he could not appear and the notice was issued directly to the plaintiff's company, but the Process Server report shows that one Chowkidar was present who informed the Bailiff that concerned officials of plaintiff's company are not present.

In the restoration application as well as application under Section 5 of the Limitation Act also the same ground has been raised that S.Ali Bin Adam Jafri, Advocate was appearing but he was seriously and due to his brain surgery he could not appear on the date on which the case was fixed.

In view of the above, Mr.Rafique Ahmed Kalwar, counsel for the defendant has no objection if the applications are restored without prejudice to his objection on merits of the case. By consent all applications dismissed for non-prosecution are restored. Let this matter be fixed in court on 17.1.2018.

Judge

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