

IN THE HIGH COURT OF SINDH, KARACHI

Suit No. 406 of 1999

Date	Order with signature of Judge
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Plaintiff : Rashid Ahmed Shaikh,
(Nemo)

Defendant No.1 : Khalid Masood
(Nemo)

Defendant No.2 : District Registrar,
(Nemo)

Date of hearing : 11.12.2017

Decided on : 11.12.2017

ORDER

Nazar Akbar.J,- This suit for recovery of damages and mense profit is pending since **1999**. However, the plaintiff and his counsel stopped appearing in this case from 2013 onwards. I have gone through the evidence. Only the plaintiff was examined. The plaintiff has categorically stated in his affidavit-in-evidence that the dispute between the parties was liable to be referred to the Arbitrator under a written agreement. Therefore, according to his owns statement, the suit was not maintainable. He should file an application under Section 20 of Arbitration Act, for referring the dispute to the arbitrator. Therefore, suit is dismissed.

JUDGE

SM