

ORDER SHEET  
**IN THE HIGH COURT OF SINDH, KARACHI**  
**Suit No.1069 of 2017**

<b>Date</b>	<b>Order with signature of Judge</b>
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- 1.For orders on CMA No.17926/2017  
2.For hearing of CMA No.11602/2017  
3.For hearing of CMA No.6771/2017

**30.01.2018**

None present for the plaintiff.

Mr.Muhammad Sohail Hassan, Advocate for the Defendant No.1

Mr.Muhammad Asad holding brief for Mr.Tehmur Mirza, Advocate for Defendant No.2.

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On 4.5.2017 as interim measure this court restrained the defendant No.2 not to enter into any agreement for the similar nature till next date of hearing for the exterior wall of the building. On the same date counsel for the defendant Nos.1 and 2 filed their Vakalatnamas and requested for time to file counter affidavit. On 7.11.2017 counsel for the plaintiff wanted to withdraw the Vakalatnama and requested for time to file application, thereafter, on 20.11.2017 also nobody was present for the plaintiff. However, on 20.12.2017 Mr.Khursheed Javed, Advocate filed application under Rule 50 of Sindh Chief Court Rules for the withdrawal of his Vakalatnama. He also attached copy of notice sent to the plaintiff. The Vakalatnama of plaintiff's counsel was discharged with the directions to issue notice to the plaintiff. It was not the court's responsibility to issue fresh notice if the counsel withdraws his Vakalatnama with notice to the plaintiff but it was incumbent upon the plaintiff either to appear through duly authorized representative or engage some other counsel to represent them in court. Now the present status is that despite sending notices through Bailiff it is reported that the address of the plaintiff is wrong. The conduct of the plaintiff shows that they are not interested to proceed the injunction application despite giving various opportunities. In view of the above position, the injunction application is dismissed.

Judge

