

ORDER SHEET
HIGH COURT OF SINDH, KARACHI

HCA No. 59 of 2013

Date	Order with signature of Judge
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Present

Mr. Justice Muhammad Ali Mazhar.

Mr. Justice Agha Faisal.

Syed Sarwar Javed & anotherAppellants

Versus

Federation of Pakistan & others..... Respondents

Date of hearing 17.04.2019

Mr. Muhammad Nasir advocate holding brief for Malik Naeem Iqbal advocate for the appellants.

Mr. Hyder Ali Khan advocate for the respondent No. 3.

Mr. Hussain Bhora, Assistant Attorney General.

Muhammad Ali Mazhar, J: Basically, this appeal has been filed on dismissal of CMA No. 7060/2012 and CMA No.6963/2012 filed by the appellants in Civil Suit No. 791/2012. Vide order dated 29.03.2013 the learned Single Judge was pleased to dismiss both the applications with the observations that Interveners are not entitled to be impleaded as party in the suit.

2. Mr. Hyder Ali Khan learned counsel for the respondent No.3 submitted copy of order dated 22.01.2019 passed by learned Single Judge of this court in various suits including Suit No. 791/2012 and all suits including suit No. 791/2012 were disposed of in view of the order passed by the hon'ble Supreme Court in all DRAP cases. Learned counsel further submits that since the suit has been disposed of hence there is no justification to retain this appeal pending which was only filed against an interlocutory order of non impleading the appellants in the suit. The argument advanced by the learned counsel seems to be logical. When the main suit has been

disposed of then there is no question to retain this appeal pending. The appeal has become infructuous and dismissed accordingly.

JUDGE

JUDGE

Aadil Arab