

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

Suit No.1115 of 2008

Date	Order with signature of Judge
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For evidence.

02.05.2018

None present for the plaintiff
Mr. Jawad A. Sarwana, advocate for the defendant.

This is a suit for declaration and mandatory injunction against the agency of the plaintiff by the defendants. This suit was filed on 13.8.2008 and the plaintiff has obtained interim order which ultimately was vacated on 27.11.2014. After dismissal of stay application, the plaintiff has not preferred even any High Court Appeal and he has also not produced any evidence. In the meanwhile issues were framed on **09.5.2012**. However, since defendant is a foreign national after farming of issues the defendant had filed application under Order 26 Rule V CPC for recording evidence of their foreign client on commission and that application was granted on **26.3.2015**. The plaintiff has neither sought any commission nor filed list of witnesses. The plaintiff has also not produced any evidence. Therefore, there is not to prove by defendant through evidence. In view of the fact that the plaintiff and their witness are not available, the suit is dismissed for want of evidence.

JUDGE

Ayaz Gul/PA