

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI

**Suit No.1657 of 2000**

Date	Order with signature of Judge
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For arguments

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**22.02.2018**

None present.

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Record shows that initially the plaintiff has filed the suit for Specific Performance, however, his plaint was rejected by Order dated **03.10.2002** and he has preferred a High Court Appeal bearing HCA No.288/2002. In the High Court Appeal, by consent, the matter was remanded and the plaintiff was allowed to file amended plaint only for claiming damages against defendants No.1 and 2. The amended plaint was filed on **28.11.2006**. There is no intimation of filing amended plaint to the defendants at least in the record. Only once notice was sent to Muhammad Yousuf and Anwar Ahmed, advocates for defendant No.1 and 2 but record shows that they never represented defendants No.1 and 2. Thereafter three issues were framed by this Court that (1) maintainability of suit; (2) whether the plaintiff is entitled for the damages? and (3) what should the decree be?. The plaintiff after leading evidence has only requested for adjournments. On last date none was present and today again none is present. Therefore, the suit is dismissed for non-prosecution.

JUDGE

A. Gul/PA\*