

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Suit No.1320 of 1999

ORDER WITH SIGNATURE OF JUDGE

For hearing of CMAs.

1. 7892/1999.
2. 5793/2004.
3. 890/2004.
4. For examination of parties/settlement of issues.

17.04.2018

None present for the plaintiff.

Mr. Mohsin Sherwani, Advocate for the defendant.

Since plaintiff is not appearing, in view of the following two orders passed on **20.11.2013** and **21.4.2017**, listed applications stand disposed of.

“20.11.2013.

Learned counsel for the plaintiff submits that there is every likelihood that the matter would be resolved amicably and he would withdraw this suit. Be that as it may, let it come up on 27.11.2013 on which date learned counsel either to proceed with the matter or withdraw the suit, as the case may be.

“21.4.2017.

None for the plaintiff. Learned counsel for the defendant has shown his anxiety to proceed with application under Order 39 Rules 1&2 CPC (CMA No.7892/1999) as according to him, in the instant suit restraining order is operating against the defendant w.e.f.29.11.1999 which is causing serious prejudice to the interest of the defendant. Nonetheless, since learned counsel for the plaintiff is not in attendance, therefore, as an ‘indulgence’ and ‘last chance’, the case is adjourned, however, if on the next date, learned counsel for the plaintiff failed to proceed with the listed applications including injunction application bearing CMA No.7892/1999 then interim order passed on 29.11.1999, shall be vacated.”

Today this suit is also fixed for examination of the parties/issues. None present for the plaintiff, therefore, this suit is dismissed for non-prosecution.

JUDGE

