

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
I.A. No.10 of 2019

Date	Order with signature of Judge(s)
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1. For orders on office objections
2. For hearing of main case
3. For hearing of CMA 520 of 2019

**03.09.2019**

Mr. Muhammad Vawda, Advocate for the appellants.  
Mr. Hussain Bohra, Assistant Attorney General.

Muhammad Ali Mazhar J.- The impugned order dated 10.01.2019 was passed by VIth Additional District and Sessions Judge, Karachi East in Suit No.12 of 2018 filed under the provisions of the Defamation Ordinance, 2002 by the respondent No.1 against the petitioners and the respondent No.2. The appellant considered that the Additional District and Sessions Judge has no pecuniary jurisdiction, therefore, she filed an application under Order VII Rule 10 CPC for the return of the plaint, but the said application was dismissed by the learned VIth Additional District and Sessions Judge, Karachi East vide the impugned order. Being dissatisfied the present appeal was filed by the appellant. The learned counsel for the appellant pointed out his statement dated 27<sup>th</sup> August, 2019 with which he has attached a copy of order passed by the trial Court in same suit whereby an application moved by the plaintiff under Order XXII Rule 1 CPC was allowed and the suit was dismissed as withdrawn vide order dated 21<sup>st</sup> August, 2019. Learned counsel submits that since the impugned order is arising from Suit No.12 of 2018, which is no more in field and the suit has been dismissed as withdrawn, therefore, on instruction, he does not want to press this appeal, which is also dismissed as withdrawn unconditionally.

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