

**IN THE HIGH COURT OF SINDH, CIRCUIT
COURT, HYDERABAD.**

M.A No.46 of 2019

Appellant : None for the appellant.

Date of Order : 01.11.2021

ORDER

ADNAN-UL-KARIM MEMON, J:- Through instant Miscellaneous Appeal, the appellant has called in question the order dated 05.12.2019 passed by the learned VIIIth Addl. District Judge, Hyderabad, in Insolvency Petition No.21 of 2019, whereby the learned trial Court discarded the version of appellant on the ground that he has failed to prove the case under the provisions of Insolvency Act, 1920.

2. Primarily the appellant in his abortive attempt has assailed the findings of learned trial court in the present appeal on the ground that due to colossal loss in his business he has become insolvent and is unable to pay the outstanding amount of respondent No.3.

3. The matter was posted on 28.2.2020, when nobody bothered to come forward to comply with the office objections, and since then this matter is unattended. Today no one is present for the appellant and no intimation is received. It appears from the record that after filing of this appeal, the appellant and his counsel have chosen to remain absent; therefore, I have gone through the record as available before me and do not find any merit in this appeal and the finding of learned trial Court is within the parameters of law as the appellant has failed to substantiate his claim on the issue of insolvency. Accordingly, instant Miscellaneous Appeal being devoid of merit is **dismissed** with no order as to costs.

JUDGE

Hafiz Fahad