

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Suit No.50 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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For orders on CMA No.445/2022 (U/O 39 R.1&2 CPC).

Dated: 21.01.2022

Ms. Rafat Mubeen, Advocate along with plaintiff.

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Plaintiff argued in person.

In pursuance of the main relief that concerns with the permanent injunction restraining the defendant from leveling false allegations and defamatory campaign, application under Order XXXIX Rule 1 and 2 CPC has been filed with relation to some correspondence exchanged between them. The plaintiff, who is present in person, has relied upon a letter dated 10.12.2021 issued to the plaintiff in response to his own letter. Presently the plaintiff is aggrieved of a statement made in para-3 of said letter wherein it was disclosed that he (the defendant) was surprised as “how the plaintiff got access to a letter head of the hospital”. He then took me to last para of the said letter where actions were only caused concern for the defendant and nothing else. I found nothing defamatory in this regard. I have gone through the letter dated 10.12.2021. Prima facie, it is inquisitive in nature specially contents of para-3 of the said letter and so also the last para of the letter. Since I found nothing defamatory in it and it is of inquisitive in nature, I am of the view that at this stage the instant application for interim relief on the aforesaid count merits no consideration. The plaintiff, however, may pursue his case on the basis of material available on record after recording evidence. The listed application (CMA No.445/2022) is, as such, dismissed.

JUDGE

Ayaz Gul