

**ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI**

I.A. No.54 of 1993

Date	Order with signature of Judge
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For orders as to non-prosecution

The case was lastly fixed on 4.9.1994. Since then the case was lying in the copying branch for preparation of paper book which has not been prepared so far.

**Dated: 09.04.2021**

Mr. Salman Shaikh holds brief for Mr. Sultan Ahmed Shaikh for appellant.

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Though surprisingly the matter remained pending in copying branch for preparation of paper book since 04.09.1994 but there was no effort either on the part of the appellant or respondent for having it fixed in Court. There is no effort on the part of the office as well as copying branch at all for referring this matter to Court and/or concerned Additional Registrar for fixation or if cost for preparation of the book has not been deposited.

Counsel for appellant submits that on the last date also he has made a request on behalf of the appellant for withdrawal but notice was issued to appellant about pendency of this appeal under section 96 of the Civil Procedure Code and the Court adjourned it to 26.01.2021.

Though an explanation is required from the office including copying branch as to why the matter kept pending with the copying branch without any reference or intimation to the Court and/or concerned Additional Registrar in respect of non-payment of copying fee, yet I consider the request of the appellant's counsel who has made a statement on behalf of the appellant for withdrawal of the appeal. The Appeal as such is dismissed as not pressed/withdrawn. However, office or copying branch shall submit an explanation about non-fixation of this matter since 1994.

Judge