ORDER SHEET

IN THE HIGH COURT OF SINDH AT KARACHI

SUIT NO.1338 AND 1339 OF 2018

Date	Order with signature of Judge

1. For hearing of CMA No.9719/2018
2. For hearing of CMA No.9589/2020

17.12.2021

Mr. Farrukh Usman advocate
Mr. Faiz Durrani advocate
Ms. Sahar Rana advocate

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Heard learned counsel for defendant who seeks deletion of his name from the suit of Fatal Accident Act with plea that incident happened in April 2018 whereas subject matter property was transferred in May 2018 after one month. Counsel for plaintiff contends that this vehicle was on lease by Byco and that lease expired in 2012 thereafter no objection letters were issued in favour of Byco. Whereas Byco is also disputing the ownership of the subject matter vehicle. Besides, learned counsel for plaintiff contends that vehicle was released on superdari basis in favour of one Fazalullah.

2. Needles to mention that in suit for Fatal Accident owner of the vehicle is also liable for damages. With regard to ownership as well the person who was negligently driving the vehicle. Points are to be determined after framing of the issues therefore application for deletion of the name of defendant No.1 at this stage is dismissed.

Office to place copy of this order in connected suit.

J U D G E

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