

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

High Court Appeal No.403 of 2023

Afzal Hussain & another

Versus

Mst. Jannat-un-Nisa & others

Date	Order with signature of Judge
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1. For orders on office objection a/w reply as at "A"
2. For orders on CMA 5085/23
3. For hearing of main case.
4. For orders on CMA 5086/23

**Dated: 15.12.2023**

None present for the appellant.

Mr. Shahid Ali Ansari for respondents No.1 to 33 on notice under XLIII Rule 3 CPC.

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In this appeal following order dated 05.10.2023 in Suits No.541 and 586 of 2013 is impugned:

*"The Government of Sindh has filed their report which prima facie showing that the title of the plaintiff in Suit No.541 of 2013 has been confirmed subject to various notes that are available on the record. Counsel for the plaintiff in Suit No.586 of 2013 is reportedly unwell and requests for time. Time is granted with directions that Mukhtiarkar Scheme No.33 District East Karachi shall remain in attendance on the next date of hearing. Relist on 10 October 2023 at 11.00 a.m. Interim order passed earlier to continue till the next date of hearing.*

*Office is directed to place a copy of this order in the above connected matter."*

We have minutely perused the order despite non-availability of either appellants or their counsel. We find nothing which could go against appellants as it is the Government of Sindh who has filed their report which shows certain tile and there is no point of adjudication in the order. However, in the order time was granted to the Mukhtiarkar with directions that he should remain in attendance on the next date. There is nothing which could cause prejudice to the appellants. However, since appellants and their counsel are not in attendance this appeal is dismissed for non-prosecution along with listed applications.

Judge

Judge