

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

First Appeal No.112 of 2023

Shah Alam  
Versus  
Hafiz Muhammad Jahangir & others

<b>Date</b>	<b>Order with signature of Judge</b>
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1. For orders on CMA 5889/23
2. For hearing of main case.
3. For orders on CMA 5890/23

**Dated: 31.01.2024**

Mr. Nasir Rizwan Khan for appellant.

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Learned counsel submits that the appellant has no case on merit; the only point that has been raised is that once the suit was dismissed for non-prosecution it could not have been restored without notice to the appellant/defendants.

We have perused the order whereby suit was dismissed for non-prosecution and it appears that on the said date counsel for appellant/defendant was not in attendance hence in such a circumstance under the law no notice was required to be issued at the time of restoration of the suit. Appeal on this solitary ground is misconceived and is accordingly dismissed along with listed applications.

**Judge**

**Judge**