

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

High Court Appeal No.334 of 2018

National Medical Centre (Pvt.) Limited and others
Versus
Mohammad Ali Razi Khan

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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Present:
Mr. Justice Muhammad Shafi Siddiqui
Mr. Justice Omar Sial.

Hearing case (priority)

1. For hearing of main case.
2. For hearing of CMA No.2832/2018 (stay).
3. For hearing of CMA No.2934/2018 (U/O-41).

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Dated 21.03.2024

Mr. Altamash Arab, Advocate for the Appellants.

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Despite service, no one has appeared on behalf of the Respondent. It is stated by Mr. Altamash Arab, learned counsel for appellants that only once the Respondent marked his appearance and then left it without any attendance on the subsequent dates.

The only concern of the appellants was that while the matter (suit) was fixed for evidence, the interim proceedings have been initiated on its own by virtue of a report of the commissioner that he was not permitted or allowed to take the record that concerns with the case.

Be that as it may, by virtue of the impugned order only show cause notice was issued, which, per learned counsel, was responded and charge was framed. Learned counsel has fairly submitted that in case it is so required, appellants may be allowed to record evidence in the contempt proceedings along with other issues framed so that the suit be taken to its logical end along with contempt proceedings as initiated by the learned single Judge. Order accordingly.

The contempt issue, as framed for framing the charge, be heard and decided along with other issues on which evidence is being recorded. Once the matter is ripe for final arguments, the issue of contempt may also be decided one way or the other accordingly.

With this understanding of law, the appeal stands disposed off along with pending applications.

The record and proceedings of suit No.2554/2014 be sent back to the office for its fixation accordingly.

JUDGE

JUDGE

Ayaz Gul