

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

CP NO.S-47/2022

Date

Order with signature of Judge

1. For order on office objection.
2. For hearing of CMA No.1948/2022
3. For hearing of main case.

23.11.2022

Mr. Abdul Nabi Joyo advocate for petitioners.

Mr. Afaque Yousuf advocate for respondent No.1.
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At the outset learned counsel for petitioner contends that though trial court's judgment is in his favour but learned appellate court without service, passed exparte order while setting aside the judgment of the trial court.

2. Though judgment of the appellate court reflects that service was effected on petitioner however learned counsel for respondent candidly contends that matter may be decided on merits and to void multiplicity of litigation this court may pass appropriate order.

3. Under these circuses, impugned judgment is set aside, matter is referred back to the appellat court that shall decide the fate of appeal after hearing both parties, preferably within one month.

J U D G E

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