

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
HCA No.307 of 2017

Order with signature of Judge

**Hearing /Priority case.**

1. For orders on CMA No.1466/2019.
2. For hearing of main case.
3. For hearing of CMA No.2166/2017.

**04.09.2019**

Mr. Ahmed Ali Ghumro advocate for the appellants.  
Mr. Mansoor Ali Ghangro advocate for the respondents No.1 to 3.  
Mr. Abdul Karim Abbasi holding brief for Mr. Mohsin Shahwani advocate  
for the respondent No.4.

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After arguing at length, it appears that no ground is in existence whereby  
plaint in terms of under Order VII Rule 11 can be rejected. Learned counsel has  
raised numerous grounds, most of them are related to dismissal of the suit and not  
for rejecting the plaint. At the conclusion of the arguments and in view of the  
above, learned counsel for the appellants as well as learned counsel for the  
respondents agreed that in case the preliminary issues regarding maintainability  
along with other issues are settled and framed, they would have no objection for  
disposal of this appeal. Order accordingly. Learned Single Judge is directed to  
frame issues including the preliminary issue as requested for by the appellants  
which deals with the maintainability of the suit. Parties would be at liberty to  
address the court on such issues, if it does not require any evidence.

The appeal in the above terms stands disposed of.

JUDGE

JUDGE