

IN THE HIGH COURT OF SINDH AT KARACHI

Suit No. 1222 of 2008

Date

Order with signature of Judge

1. For orders on CMA No.6228 of 2013.

FOR HEARING OF CMA NOS:

2. 6229 OF 2013 (U/S 5 OF LIMITATION ACT)
3. 8566 OF 2008 (U/O 39 R 1&2 CPC)
4. 8567 OF 2008 (U/O 39 R 1&2 CPC)

11/10/2013:

Ms. Ambar Lakhani, Advocate for the plaintiff.

Mr. Khadim Hussain Thahim, Advocate for the
defendant.

On 18.9.2013 defendant's CMA Nos.6228 of 2013 and 6229 of 2013 were allowed without touching the merit despite the fact that the said applications were in respect of recalling of orders passed in 2011. These applications were granted subject to payment of cost of Rs.50,000/-. Today after almost three weeks the learned counsel for defendant has advanced a very childish excuse before the Court that he was unable to get certified copy for compliance of order dated 18.9.2013. The failure of learned counsel to comply with the orders is not justifiable, therefore, it is hereby ordered that if the cost is not paid within seven days from today the order dated 18.9.2013 shall be recalled and the applications which were granted deemed to have been dismissed.

Adjourned to a date in office.

JUDGE

S.Akhtar