

IN THE HIGH COURT OF SINDH AT KARACHI

Suit No. 1414 of 2011

Date

Order with signature of Judge

For final disposal:

(Statement filed by plaintiff on 28.8.2013 as flagged 'A')

17/09/2013:

Plaintiff, Muhammad Shafi Paracha, present
in person.

Mr. Muhammad Sadiq Hidayatullah, Advocate for
Defendants No.1 to 3.

None present for Defendant No.4.

The plaintiff was directed to bring original title documents as the same were not in his possession on the last date of hearing i.e. 28.8.2013 which he has also not brought today. Learned counsel for Defendants No.1 to 3 wants to cross-examine the plaintiff and since this is a case of one cross-examination of the witness/ plaintiff and no evidence from the side of defendants is to be produced because they are already declared exparte. The Court feels very thankful to Mirza Adil M. Baig, Advocate, for accepting the proposition of recording cross-examining of the plaintiff as Commissioner for recording evidence when learned counsel for Defendants No.1 to 3 is supposed to cross-examine the plaintiff. The Commissioner fee of Rs.25,000/- is to be deposited in favour of High Court Bar Library and plaintiff is required to supply a copy of the receipt of payment of fee to the learned Commissioner at the time of handing over copies of affidavit-in-exparte proof and the documents for the learned Commissioner as well as copy for learned counsel for Defendants No.1 to 3. The learned

Commissioner has to decide about the date and time for cross-examination and there shall be no adjournment even on behalf of any of the party. Since the parties are present in Court notice to the learned Commissioner is not required. The learned Commissioner after concluding the cross-examination of witness/plaintiff will submit his report at the earliest. Moreover, copy of this order may be sent to the learned commissioner for his record.

JUDGE

S. Akhtar