

IN THE HIGH COURT OF SINDH AT KARACHI

Suit No. 779 of 2003

Date	Order with signature of Judge
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For hearing of CMA No.260/2013 (U/O 18 R 18 CPC):

01/11/2013:

None present for the plaintiff.

Syed Khizar Asker Zaidi, AAG for Def. Nos.1 to 4.

Mr. Muhammad Azhar Faridi, Advocate for Defendants No.5 to 7.

Mr. Arshad Ali, Advocate for alleged contemnors No.2, 4, 5 and 6.

This application (CMA No.260 of 2003) has been filed by Defendants No.5 to 7 under Order 18 Rule 18. No counter-affidavit has been filed by the plaintiff. On the last date of hearing i.e. 14.10.2013 time was granted to the plaintiff with a direction that if on the next date nobody appeared on behalf of the plaintiff this application will be decided on its own merit. Today again the plaintiff and its counsel are absent and no counter-affidavit has been filed. Even otherwise, the inspection of the plots in dispute does not prejudice anyone. This application (CMA No.260 of 2003) is allowed and Nazir of this Court is appointed Commissioner to inspect Plots No.23 and 8, situated in Block 'E' of MPR Colony, Orangi No.1, Karachi, after notice to the parties. Once notice will be issued should not be considered by the Nazir to avoid inspection of the subject. Nazir fee will be Rs.15,000/- which will be paid by Defendants No.5 to 7 before inspection. Nazir to submit his report within a period of four weeks.

In view of above CMA No.260 of 2013 stands disposed of.

Adjourned to a date in office.

JUDGE