

IN THE HIGH COURT OF SINDH AT KARACHI

Suit No. 366 of 2006

Date

Order with signature of Judge

FOR HEARING OF CMA NOS:

1. 6708 of 2013 (U/O 39 R 4 CPC)
 2. 3440 of 2013 (U/O XLVII R 1 CPC).
- (Attention is respectfully invited to the Court's order dated 05.03.2013 as flagged 'A')

26/11/2013:

Mr. Sohail Muzaffar, Advocate for Plaintiff No.1.

Mr. Muhammad Naeem-ur-Rehman, Advocate for Plaintiff No.2.

Mr. Muhammad Umer Lakhani, Advocate for Defendants No.1 and 2.

Ms. Nasreen Sehto, Advocate for Defendant No.4.

Syed Iftikhar-ul-Hassan, Advocate for Defendant No.5.

Qazi Asif Ali, Advocate for Defendant No.8.

Learned counsel for Plaintiff No.2 files affidavit-in-evidence of witness Mst. Amber Ali which is taken on record. Copy supplied to the counsel for Defendants No.1 and 2.

Learned counsel for Defendants No.1 and 2 is anxious to proceed with the application (CMA No.6708 of 2013) listed today at serial No.1 whereby he seeks modification in status-quo order dated 11.10.2010. His main contention is that by order in HCA No.255 of 2010 dated 3.4.2013 specific directions were given to the parties while passing order of status-quo have been violated. The plaintiffs have failed to comply with the term No.ii of order in HCA No.255 of 2010. The direction was to complete the evidence within four months which came to end on 2nd August 2013 and the

plaintiffs till date have failed to even file their affidavits-in-evidence. Besides this, learned counsel for Defendants No.1 and 2 also raised certain other grounds to get the order for modification in status-quo orders keeping in view the time limit for recording of evidence has been breached by the plaintiffs. Since the affidavit-in-evidence has been filed today, another two months' time is given and the plaintiff should complete their evidence within thirty days from today and in the next thirty days the defendants will complete their evidence and on whatever reason if the evidence is not concluded within sixty days from today, the Court will be constrained to modify the order after hearing the parties.

To come-up after two months.

JUDGE

S.Akhtar