

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
Suit No.170 of 2011

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Order with signature of Judge

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1. For hearing of CMA No.1105/2011.
2. For hearing of CMA No.479/2013.
3. For hearing of CMA No.5232/2013.
4. For hearing of CMA No.2579/2013.

27.02.2014.

None present for the Plaintiffs.  
Ms. Sajida Syal, advocate for the Defendant No.3.  
Mr. Khursheed Javed, advocate for the Defendants No.2 and  
4.  
Ms. Hina Rabbani, AAG.

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1. After obtaining ex-parte orders on 22.02.2011, learned counsel for the Plaintiffs is not contesting the matter seriously. Most of time either they are absent or they sought time and got adjournments except one or two attendance. On 20.12.2013, it was specifically ordered that this application will be heard and decided even in absence of the learned counsel for the Plaintiffs. Despite, this observation, nobody was in attendance on 24.12.2013. On 06.01.2014 again nobody turned up on behalf of the Plaintiffs. On 30.01.2014, a request was made on behalf of the Plaintiffs for adjournment. Today, again no one is in attendance on behalf of the Plaintiffs. This application is dismissed for non-prosecution.

2. Since there is no seriously contest and the written statement has already been filed by the learned counsel for the Defendant No.3, therefore, this application is allowed and the written statement filed by the learned counsel for the Defendant No.3, is taken on record.

3. In view of the order passed in the application listed at Sr. No.1 today, Mr. Khursheed Javed, learned counsel for the Defendants No.2 and 4 does not want to press this application, which is dismissed as not pressed.

4. The written statement has already been filed by the learned counsel for the Defendants No.2 and 4. It is taken on record. This application is also allowed, as Court favours decisions on merits.

JUDGE

MUBASHIR