

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

**SUIT NO.99/2011**

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Date

Order with signature of Judge  
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For final arguments.

**11.12.2014**

Mr. Mahmood Habibullah advocate for defendants.  
Mr. Naeem Suleman holding brief for Mr. Mahmood Ahmed Khan,  
advocate for plaintiffs.

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On 27.08.2014 the evidence was concluded and the commissioner report was placed on record and the case was adjourned for final arguments in presence of the counsel for the plaintiff. The order sheet shows that from 27.08.2012 Mr. Mahmood Ahmed Khan advocate for the plaintiff has never turned up in this case on 15.02.2013, 12.04.2013, 03.05.2013, 14.05.2013, 12.11.2013, 01.09.2014, 25.11.2014 and today when this case was taken up at around 11.30 a.m. brief was held by Mr. Saleem Nasir on behalf of the learned counsel that he is busy before another Bench. Therefore it was kept aside and now at 1.15 p.m. Mr. Naeem Suleman appeared and informed that the learned counsel was present in Court in the morning, however, because of some illness he had left the Court.

This is a case in which defendants claim that they have been deprived of their right of inheritance in respect of the property of late Syed Ahmed. The defendants had filed S.M.A. No.144/2010 in respect of the same property and unfortunately on filing of this suit subsequent to the S.M.A. the proceedings of the S.M.A. have been stayed on account of this Suit. In these circumstances, this case which is already on the fast track can not be adjourned under the cover of certain documents submitted by the plaintiff without cost to

procure attendance of learned counsel for plaintiff after two years and two months from his last appearance on 27.08.2012. The case is adjourned with cost of Rs.10,000/- to be paid by the plaintiffs to the defendants on or before the next date of hearing.

**J U D G E**

Imran/PA