

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Suit No. 1671 of 2014

DATE ORDER WITH SIGNATURE(S) OF JUDGE(S)

1. For hearing of CMA. No. 12320/2014 (u/o 39 Rule 1&2 CPC).
2. For hearing of CMA. No. 11512/2014 (u/o 39 Rule 1&2 CPC)
3. For hearing of CMA. No. 11513/2014 (u/o 18 Rule 18 CPC).
4. For hearing of CMA. No. 527/2015 (u/o 18 Rule 18 CPC)

20.01.2015

Mr. Umer Advocate holding brief for Mr. Khalid Javed Khan Advocate for the Plaintiff.

Mr. Sohail Muzaffar Advocate for the Defendant No.1.

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In this suit, an exparte order was obtained by the Plaintiffs on the first date of hearing i.e. 03.09.2014. The grievance of the Defendants is that by virtue of said interim order, even they were restrained from manufacturing of the subject product in the suit. On 14.01.2015, this case was heard at some length before tea break and it was ordered to be taken up after tea-break. Immediately after tea-break learned counsel for the Plaintiffs appeared and informed the Court that he is busy in some other urgent matters and requested for time. On his request the case was adjourned to 15.01.2015 to be taken up at 8:30 AM. Again on 15.01.2015, he was found busy in some other cases, therefore at his request the case was adjourned to 20.01.2015 at 11:00 AM. Again today despite the fact that he was supposed to be here, but it is reported that he is busy before Supreme Court. Therefore even on his sudden engagement before Supreme Court, he should have to make some arrangement to ensure proceeding of this suit. There is request to keep aside the case as even to be taken up tomorrow. As injunction in his favour is operating without any equity in favour of the other side, therefore, the earlier injunction order is modified to the extent that the Defendants may start manufacturing of the subject product, however, they should maintain complete accounts of their products and submit the accounts on weekly basis in the Court. They should not start selling the same unless this application is disposed of. Adjourned to a date in office.

JUDGE