

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
Suit No.362 of 2011

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DATE                      ORDER WITH SIGNATURE(S) OF JUDGE(S)  
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1. For hearing of CMA No.11647/2013
2. For hearing of CMA No.11648/2013
3. For hearing of CMA No.12333/2013
4. For hearing of CMA No.12334/2013

**28.01.2015**

Mr. Arshad Tayabelly, advocate for the Plaintiff.  
Mr. Saleem Thepdewala, advocate for the Defendant.  
Mr. Akram Jawed, advocate / Prosecutor NAB.

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1. Learned counsel for the Defendant has filed this application under Order VII Rule 11 CPC seeking restraining orders against NAB authorities. NAB authority is not party in this suit and whatever action taken by the NAB is out of the ambit of this suit. Learned counsel for the Defendant could not satisfy that how restraining orders can be passed on the application of the Defendant who otherwise have not sought any substantial relief, through his written statement, therefore, this application is dismissed as not maintainable under the law.

3. NAB has moved an application to become a party, this application is not maintainable because there is no issue raised by the Plaintiff against the NAB authority nor presence of NAB is necessary or proper for adjudication of the suit filed by the Plaintiff. This is a simple suit for recovery against the sole Defendant. This application is also not maintainable and therefore, stand dismissed in view of the orders on above application.

2&4. Learned counsel has already deposited certain amount in terms of the order dated 21.10.2013, therefore, these application are dismissed as not pressed.

JUDGE