

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
Suit No.1041 of 2005

DATE	ORDER WITH SIGNATURE(S) OF JUDGE(S)
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| 1. | <u>For hearing of CMA No.6661/2005</u>  |
| 2. | <u>For hearing of CMA No.14434/2014</u> |
| 3. | <u>For hearing of CMA No.5331/2006</u>  |
| 4. | <u>For hearing of CMA No.7033/2006</u>  |
| 5. | <u>For orders on CMA No.12749/2014</u>  |

**19.02.2015**

Mr. Ali Haider, advocate for Defendant No.6.

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Learned counsel for Defendant No.6 has shown his surprise that how this case has been listed again and again despite the fact that in view of the order dated 12.10.2011, this matter has already been disposed of as the parties who were in dispute regarding the distribution of the assets of their deceased parents have settled the dispute outside the Court. However, on 12.10.2011, certain applications were already pending which probably have not been disposed of by the Court and they remained pending and, therefore, CMAs No.6661/2005, 5331/2006 and 7033/2006, were again listed for orders despite the fact that case has been disposed of on 12.10.2011. On 15.10.2012 even all the applications were dismissed for non-prosecution and again on 17.12.2013, these applications wrongly listed. However, office never stopped fixing the application and ultimately defendant No.6 has come rescue to Court and file CMA No.14434/2014 under Order XV Rules 1 & 2 CPC, to seek declaration that suit and all the application already stand disposed of and office has again fixed these applications even today. Office is directed not to fix these applications again as these applications are already disposed of and the suit has also been dismissed.

JUDGE