

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Suit No. Nil of 2017

Date	Order with signature of Judge
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M/s. Kohisar Enterprises.....Plaintiff

VERSUS

Federation of Pakistan & others.....Defendants

For order as to non-prosecution

25.04.2017

Mr. Irfan Ahmed Memon advocate for the plaintiff.

The matter was placed on 17.04.2017 for orders on different applications including CMA No. 6241/2017 filed under Section 149 C.P.C. for seeking some time for depositing the court fee. Due to some inadvertence, the learned Single Judge perhaps could not pass any order on this application for making up the deficiency in the court fee, however, some orders were passed on the injunction application.

Today, the matter is fixed for non-prosecution for the reasons that neither cost was paid nor the copies were supplied for issuing notice on CMA No. 6243/2017, however, the matter is silent regarding nonpayment of court fee nor office has invited any attention of the court in this regard. Learned counsel for the plaintiff has filed an application under Order XXIII Rule 1 C.P.C for withdrawal of the suit and he undertakes that within five (05) days court fee shall be deposited. Let office allot suit number and also mark CMA

number on this application and after allotting number insert the suit number with red ink on this withdrawal application. The suit is disposed of along with pending applications in view of the statement given in the application subject to depositing of requisite court fee in the office within five days. However, it is up to the learned counsel for the plaintiff to file application for the refund of court fee at subsequent stage in accordance with law.

JUDGE

Aadil Arab

