

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI

**Suit No. 814 of 2009**

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Order with signature of Judge(s)

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1. For orders on CMA No.8956/2018
2. For orders on CMA No.8189/2018

**12.09.2018**

Syed Muhammad Saleem, Advocate for plaintiffs  
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1. Through instant application Court has been moved for the appointment of the new Commissioner as the earlier Commissioner has returned the Commission on account of he being unable to record evidence due to “unavoidable circumstances”. Mr. Dilawar Hussain, Advocate present in the Court has graciously accepted to act as the Commissioner at the usual terms however as a special case, the counsel requests that cost of Rs.10,000/- per witness be ordered.

Since Mr. Dilawar Hussain, Advocate having office at 4-C, Sunset Lane No.1, 1<sup>st</sup> Floor, Phase-II, Ext. Defence Housing Authority, Karachi (Cell No.0333-2133282) accepts the Commission at the cost of Rs.10,000/- per witness, accordingly, he is appointed to act as Commissioner. Fee of the learned Commissioner is fixed at Rs.10,000/- per witness to be paid by the Plaintiff. Affidavit-in-evidence to be filed before the Commissioner alongwith legible copies of the relevant documents. Learned Commissioner is directed to conclude the Commission preferably within a period of three months and submit his report. Learned Commissioner would be at liberty to close the side in respect of defaulting witness(es) absent on two consecutive dates or to impose costs upto Rs.5,000/- as deemed fit and proper. Office is directed to communicate this order to the learned Commissioner.

JUDGE