

**ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD.**

Ist. Appeal No.D-49 of 2000.

DATE	ORDER WITH SIGNATURE OF JUDGE
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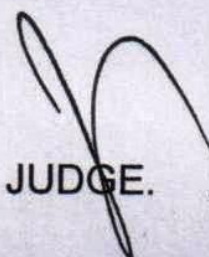
For hearing of CMA-473/11.(restoration)

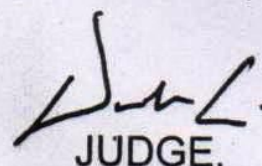
23.10.2019.

Mr. Ashok Kumar, Advocate for the respondent.

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This application has been filed on behalf of the appellants for restoration of this appeal which was dismissed on 05.05.2011 for non-prosecution. It was observed on 15.03.2016 that learned counsel for the appellants and respondent have passed away and in view of such observation, notice was ordered to be issued directly to the appellants and respondent. Record shows that notice issued by the office on 17.10.2019 for today could not be served upon the appellants as they have shifted from the given address. It is duty of the every litigant not only to furnish full particulars and correct address before the Court to enable the office to serve the notice upon him, but also to pursue his case vigilantly and deligently. In case of disclosure of incomplete or wrong address or not disclosing new address in case of any change therein, the litigant shall have to suffer the consequences of non-service of notice or any adverse order that may be passed in his absence. In the instant matter the appellants did not furnish their new address for the purpose of notice and they have chosen to remain absent. In the above circumstances, it appears that they have lost interest in pursuing this application, which is accordingly dismissed.


JUDGE.


JUDGE.