Order with Signature of Judge(s)

Fresh Case:

1. For order on CMA No.704/2022 (Urgent)
2. For order on office objection a/w reply as at "A".
3. For order on CMA No.705/2022 (Exemption)
4. For hearing of main case
5. For order on CMA No.706/2022 (Stay)

18.03.2022.

Ch. Muhammad Iqbal, Advocate for the appellant.

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1.   Urgency granted.

2-5.   This High Court Appeal **(HCA)** has been filed impugning the order dated 02.02.2022 passed by the learned Single Judge in Suit No.1300 of 2017.

At the very outset, the counsel is directed to satisfy with regard to the maintainability of this HCA, as on the said date some understanding was reached between the parties and thereafter the counsel for the defendant No.4, who has filed the instant HCA, sought time from the Court to consult his client with regard to furnishing bank guarantee/pay order in the sum of US $.2,900,000/-. In response thereto, the counsel states that he would be satisfied and would not press this HCA if directions are given in the instant matter to the learned Single Judge to accept the bank guarantee in Pak Rupees instead of US Dollars.

The counsel has been heard and record has been perused.

As stated earlier, this HCA does not seem to be maintainable as it is apparent that the order was passed by the learned Single Judge after taking

an undertaking from both the sides and the counsel appearing for the defendant No.4 (the present appellant) simply sought time to consult his client with regard to furnishing bank guarantee or pay order of US $.2,900,000/- and the present request of the counsel to grant him permission to furnish bank guarantee in Pak Rupees appears to be misconceived, as the said request could only be made before the learned Single Judge before whom his suit bearing No.1300 of 2017 is pending. This HCA, therefore, is found to be bereft of any merit and the same, accordingly, stands dismissed in limine along with listed applications.

Judge

Judge