

ORDER SHEET

HIGH COURT OF SINDH, KARACHI

HCA No. 186/09

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Date

Order with signature of Judge

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1. for order on CMA 946/09
2. for order on CMA 947/09
3. for katcha peshi.

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29.6.2009

Mr.Abid Feroze, Advocate for appellant.

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This appeal has been filed against interlocutory order dated 29.5.2009. The facts relevant for the purpose of disposal of this appeal are that on 17.9.2008 learned Single Judge imposed cost of Rs.5000/- on the Appellant, which was not paid and such order was challenged in High Court Appeal which was dismissed. Thereafter on

4.3.2009 the learned Single Judge granted two weeks time to the appellant to comply with the order dated 17.9.2008, failing which the suit shall stand dismissed without any further order.

Admittedly, the cost was not deposited inspite of two weeks time granted for such purpose. Resultantly the learned Single Judge dismissed the suit.

The order dated 4.3.2009 has not been challenged in any proceeding, hence attained finality. The order was clear. It was comprehensive enough to treat a suit dismissed upon its non-compliance. The order dated 17.9.2008 only gave effect to the order dated 4.3.2009.

In the circumstances, this appeal has no merits and the same is dismissed alongwith the listed application.

JUDGE

JUDGE

Sharif