

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

High Court Appeal No. 157 of 2016

Date	Order with signature of Judge
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Fresh Case

1. For orders on CMA No. 2002/2016.
2. For orders on CMA No. 2003/2016.
3. For orders on office objection.
4. For orders on CMA No. 2004/2016.
5. For hearing of Main Appeal.

13.05.2022:

No one is in attendance on behalf of the appellants.

No intimation is received.

On the last date of hearing also, no one was in attendance on behalf of the appellants and the following order was passed:-

“ No one is in attendance on behalf of the appellant, no intimation is received. On the last date of hearing, Mr. Asif Iqbal, Advocate holding brief for Mr. Hasan Imam, Advocate for the appellants, intimated to the Court that since the appellants have taken back the brief of instant case, therefore, direct notice may be issued to the appellants. Office was directed to issue direct notice to the appellants for the next date of hearing, however, no report regarding service upon the appellant is available on record. Office is directed to issue direct notice to the appellants for the next date of hearing well in advance when the appellants shall make some alternate arrangement, failing which, instant appeal may be dismissed on account of non-prosecution.

Adjourned, to be fixed after four weeks.”

Instant appeal was filed on 14.05.2016 against the order dated 31.03.2016 passed by the learned Single Judge in Suit No. 744 of 1995 on an application filed by the respondents under Order VII Rule 11 CPC, whereby, the same was allowed and the suit was dismissed for the reason that the subject matter of the suit already stood decided, therefore, the same was not maintainable.

Record shows that after having filed instant High Court Appeal, the appellants and their counsel are not remained vigilant and not coming forward to pursue the matter, which is pending since 2016 without any useful progress. It appears that the appellants and their counsel have lost interest to proceed with the matter, accordingly, the same is dismissed for non-prosecution alongwith all pending application(s).

J U D G E

J U D G E

A.S.