

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

First Appeal No.83 of 2023

Rashid Ali Khan
Versus
Rohail Khan

Date	Order with signature of Judge
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1. For orders on CMA 4496/23
2. For orders on CMA 4497/23
3. For hearing of main case.

Dated: 24.10.2023

Mr. Naeem Akhtar Khan Tanoli for appellant.

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A suit based on negotiable instrument under order XXXVII CPC was filed for recovery of an amount of Rs.15 lacs. Though leave to defend application was not filed, but plaintiff/appellant failed to prove his case by submitting original of the bounced cheque and return memo. Thus he failed to prove the documents on which the suit was based and rightly observed by the Court below that notwithstanding non-filing of the leave application, plaintiff/appellant has not proved the case by submitting originals of the two documents, which are very material and essential for considering the case of the plaintiff/appellant. No interference as such is required. Appeal as accordingly dismissed along with listed applications.

Judge

Judge