

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No.D-4834 of 2019

National Distributor (Pvt.) Ltd.

Versus

Learned V Additional District Judge Karachi West & others

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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Priority

1. For hearing of CMA No.21174/2019.
2. For hearing of main case.

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Dated 28.11.2023

Mr. Muhammad Tariq, Advocate for the petitioner.

Mr. Sandeep Malani, Assistant Advocate General Sindh.

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In a suit for recovery against the petitioner, an application under Order-VII Rule-10 and 11 CPC was filed with the pleadings that perhaps the cause triggered beyond the territorial jurisdiction of the trial court i.e Senior Civil Judge-III Karachi West.

We have perused the Non-Exclusive Distributor Agreement which stamp paper apparently was purchased from the vendor at Karachi and was signed by Dupont Operations (Pvt.) Limited/ Respondent No.3 at Karachi. It may and may not have been sent for the signature of the distributor at Rawalpindi but that is not the decisive point as part of the cause triggered at Karachi when Dupont Operations (Pvt.) Limited, the principal signed it at Karachi, hence there is no jurisdictional flaw apparently in dismissing the application under Order-VII Rule-10 and 11 CPC followed by the dismissal of the Revision Application. The primary issue regarding territorial jurisdiction may however be framed for an ultimate determination of the cause.

At this stage no interference is required. The petition as such is dismissed along with pending application(s).

JUDGE

JUDGE

Ayaz Gul