

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
II-Appeal No. 75 of 2022.

Date	Order with signature of Judge
------	-------------------------------

1. For orders on office objection.
2. For hearing of CMA No. 2042 of 2022 (Stay/ A).
3. For hearing of main case.

21st March 2023

Mr. Naveed Ahmed, advocate for the appellant.
Mr. Chaman Lal, advocate for respondent No.1.

Mr. Irfan Hassan Ansari, advocate files memo of appearance on behalf of KMC, which is taken on record.

Admittedly, appeal was presented before appellate court within time, however, due to non-payment of court fee in time, appeal was dismissed on this account. This approach of the appellate Court is not appreciable. Needless to mention that it is settled principle of law that no one shall be knocked out on technicalities and *lis* shall be decided on merits. Accordingly, with consent, impugned judgment is hereby set aside and case is remanded to learned Appellate Court, who shall decide the appeal preferably within two months, after hearing the respective parties.

J U D G E

Sajid