

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI

**High Court Appeal No. 303 of 2023**

(M/s.American Electronics (SMC-Private) Limited & another

Versus

Fujitsu General Limited)

Dated	Order with signature of Judge
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Present:

Mr. Justice Muhammad Shafi Siddiqui

Mr. Justice Omar Sial

Hearing case (Priority)

1. For order on office objection a/w reply at A.

2. For hearing of Main Case

3. For hearing of CMA No. 3370/2023 (stay)

**Dated 01.02.2024**

M/s. Sameer Ahmed Arain and Salman Ahmed Shaikh, Advocates  
for the Appellants

Mr. Abdul Ahad Nadeem Advocate for the Respondent

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Learned counsel for the Respondent was confronted with the order dated 22.08.2023, he submits that since a reasonable time of three months was passed and Counter Affidavit was not filed, therefore, injunction was confirmed.

Notwithstanding above, disposal of the application has to be made independently in view of the facts and circumstances of the case and law applicable and not merely on account of non-filing of counter affidavit, as done.

The matter is remanded to the learned Single Judge with direction that the injunction application be disposed of at the earliest after hearing the parties. In view of the above, impugned order is set aside, the injunction application is deemed to be pending with ad interim orders.

The appeal along with listed application stands disposed of as above

*JUDGE*

*JUDGE*