

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
 High Court Appeal No. **129** of 2021

| Date | Order with signature of Judge |
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Hearing (Priority) Case

1. *For orders on CMA No.2631/2022 (U/S 151 CPC)*
2. *For orders on CMA No.2298/2022 (U/O VIII)*
3. *For orders on office objections along with reply as at "A".*
2. *For hearing of main case.*
3. *For hearing of CMA No.1485/2021 (Stay).*

31.10.2022:

Mr. Muhammad Idrees, advocate for the respondent No.2.
 Mr. Muzammil Saleem, advocate for the respondent No.3.

No one is in attendance on behalf of the appellants, no intimation is received.

Learned counsel for the respondents submit that instant appeal has no merits, whereas, the same is also time-barred, however, no condonation application has been filed nor any explanation has been furnished by the counsel for the appellants in this regard. It has been further stated by the learned counsel for respondents that the time has to start from the announcement of short order, therefore, instant appeal is clearly time-barred. It has further contended by the learned counsel for respondents that the impugned judgment and decree does not suffer from any factual error or legal infirmity, whereas, according to learned counsel for respondents, an application filed by the appellant seeking recalling of the order passed by the Executing Court has also been dismissed vide order dated 10.10.2022. It has been prayed that instant High Court Appeal may be dismissed as the same is time-barred otherwise has no merits.

Since no one is in attendance on behalf of the appellant, which shows that the appellants and their counsel have lost interest to pursue instant High Court Appeal, which is accordingly dismissed for non-prosecution along with listed applications.

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