

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
High Court Appeal No.271 of 2023

Date	Order with signature of Judge(s)
	<ol style="list-style-type: none">1. For order on office objection alongwith reply at 'A'2. For hearing of main case3. For hearing of CMA. No.3091/2022 (Stay)

29.1.2024

Khawaja Shams-ul-Islam advocate for the appellant
Mr. Kafeel Ahmed Abbasi, Additional AG
Mr. Ali Safdar Depar, AAG

Nobody is in attendance on behalf of respondents No.1 to 3 despite issuance of notices twice. Both Bailiff's reports reflect that the said respondents are not available on the given address. On the other hand, Appellant's counsel submits that an ad-interim order has been obtained by respondents No.1 to 3 by misleading the Court, whereas, the address available on record is from the plaint of the said respondents / plaintiffs. According to him the Respondents Counsel after obtaining the ad-interim order is not proceeding with the stay application which has caused serious prejudice to the present Appellants. He submits that the impugned order may be suspended and the learned Single Judge may be directed to decide all pending applications expeditiously within four weeks.

Since despite best efforts notices could not be served as the addresses on the plaint are not traceable; hence, keeping this Appeal as pending will be of no use, whereas, It is only an ad-interim order which has been impugned.

Accordingly, this Appeal is disposed by directing the office to fix the captioned suit along with pending applications before the learned Single Judge seized with the matter in the third week of February 2024, whereas it is expected that the pending applications including the injunction application will be decided by the learned Single Judge within a period of four weeks from such date. If the plaintiffs' / respondents No.1 to 3's counsel does not proceed, the ad-interim order may be vacated by the learned Single Judge.

With these observations and directions, this Appeal stands disposed of.

JUDGE

JUDGE