

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

SUIT NO.554/2007

Date

Order with signature of Judge

For further orders as Commissioner's report not yet received since 01.11.2010 and 17.10.2011.

01.10.2012

Syed Abid Hussain Shirazi advocate for defendant No.1.
Mr. Abdul Baqi Mahar advocate for defendant No.3.
Mr. Muhammad Asif Mufti, Commissioner.

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None is present for the plaintiff. The record shows that since after 25.05.2009 when a detailed order was passed by this Court after hearing the learned counsel for the parties on 29.04.2009, none has appeared for the plaintiff on the date of hearings i.e. 25.05.2010, 06.09.2010, 01.11.2010 and 17.10.2011. The learned Commissioner who was appointed vide order of this Court dated 01.11.2010, is also present and submits that despite the specific direction given by this Court under such order, neither the plaintiff party has appeared before him nor the affidavit-in-evidence is filed by the plaintiff party, who had never taken interest in the matter. The Commissioner further submits that as per the order of this Court dated 17.01.2011 he had also issued the notice to the plaintiff as well as his advocate, but no response has been given by them.

Since no intimation has been received from the side of the plaintiff therefore, he appears to have lost his interest in this Suit, which is accordingly dismissed for non-prosecution.

JUDGE

Imran/PA

