

**ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI**

H.C.A. No.11 of 2025

Muhammad Saleheen Siddiqui & others

Versus

M/s Agro Processors & Atmospheric Gases (Pvt.) Ltd. & others

Date	Order with signature of Judge
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For orders on office objection No.1 as flagged “A” along with reply as flagged “B” regarding maintainability of this appeal (if office objection is overruled or deferred then fix for other purpose)

**Dated: 03.02.2025**

Mr. Raja Qasit Nawaz Khan for appellants.

Mr. Talha Javed for respondents No.1 to 5 on statutory notice.

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Learned counsel appearing for appellants/petitioners, the minority shareholders with the minimum cap of 10%, submits that virtually the learned Single Judge while passing the order on 16.12.2024 in terms of evaluation of the shares has decided the lis finally. However, during the hearing Mr. Talha Javed, counsel for respondents No.1 to 5, informed us that this not being a final order cannot be assailed before a Division Bench of this Court as only appeal against final order could be filed and that too before the Supreme Court.

We have heard learned counsel on this objection as to maintainability and we are in agreement of the impugned order being not final but interlocutory, however, Mr. Raja Qasit Nawaz submits that since the impugned order is in shape of final order, therefore, he had no choice. If that is a final order petitioners perhaps should have exercised the right of filing appeal before Supreme Court.

Be that as it may, without prejudice to the above and notwithstanding the objections we do not find anything which requires interference in the impugned order dated 16.12.2024 as only the evaluation of the shares was required which process perhaps in terms of Mr. Talha’s arguments has been completed. The exercise is apparently for the disposal of lis in accordance with law.

Appeal, along with pending applications, stands dismissed in the above terms.

**Chief Justice**

**Judge**