

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
FRA No. 40 of 2015

Date: Order with signature of Judge

1. For orders on office objections
  2. For hearing of CMA No.5819/15
  3. For hearing of main case
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08.12.2017

None present for appellant  
Mr. Maqbool Ahmed for respondent  
.X.X.X.X.

This appeal was earlier dismissed as withdrawn whereafter an application under section 12(2) CPC was filed that the Counsel has no authority to withdraw the matter. The application was pending and issue was framed but since the matter was lingering on, respondent appeared and gave no objection to the restoration of the appeal hence it was restored vide order dated 22.11.2017 and adjourned for today.

Today neither the appellant nor his Counsel is in attendance and there is no intimation either. Since, once this matter was earlier dismissed as withdrawn unlawfully, the appellant should have been more vigilant in the matter. Since the appellant and his Counsel are absent without any intimation, the appeal is therefore, dismissed for non-prosecution along with pending applications.

Judge

Dispose of :

- 1, for orders on C.M.A. No. 11488/2017 (U/A)
- 2, u u u u u 11489/2017 (Restoration)