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div.Section1
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/* List Definitions */
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ul
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</style>

</head>

<body lang=EN-US>

<div class=Section1>

<p class=MsoNormal align=center style='text-align:center'><b><u><span

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style='font-size:6.0pt;font-family:"Draft 10cpi"'>ORDER SHEET</u></p>

<p class=MsoNormal align=center style='text-align:center'>IN THE HIGH COURT OF SINDH, KARACHI</p>

<p class=MsoNormal align=center style='text-align:center'> </p>

<p class=MsoNormal align=center style='text-align:center'>Suit No.908 of 1996</p>

<p class=MsoNormal> </p>

<p class=MsoNormal> </p>

<p class=MsoNormal>1. For Orders on CMA No.4135/08.</p>

<p class=MsoNormal>2. For Orders on CMA No.1011/08.</p>

<p class=MsoNormal>-----</p>

<p class=MsoNormal> </p>

<p class=MsoNormal><u>07 May 2008</u></p>

<p class=MsoNormal style='margin-left:37.4pt;text-align:justify'> </p>

<p class=MsoNormal style='margin-left:37.4pt;text-align:justify'>Mr. Mansoor-ul-Arfin, Advocate for Plaintiff.</p>

<p class=MsoNormal style='margin-left:37.4pt;text-align:justify'> </p>

<p class=MsoNormal style='margin-left:37.4pt;text-align:justify'>-----</p>

<p class=MsoNormal style='margin-top:12.0pt;margin-right:0in;margin-bottom:12.0pt;margin-left:0in;text-align:justify;line-height:150%'>1. Granted.</p>

<p class=MsoNormal style='margin-top:12.0pt;margin-right:0in;margin-bottom:12.0pt;margin-left:0in;text-align:justify;line-height:150%'><span

style='font-size:10.0pt;line-height:150%;font-family:"Draft 10cpi"'>2. Office has put a note that no permission as provided under Section 316 of the Companies Ordinance, 1984 has been obtained. </p>

<p class=MsoNormal style='margin-top:12.0pt;margin-right:0in;margin-bottom:12.0pt;margin-left:0in;text-align:justify;text-indent:.5in;line-height:150%'>The learned counsel for the plaintiff submits that the defendant No.5 has gone into the liquidation and since he is withdrawing the suit against the said defendant there is no need of obtaining any permission from the Company Judge under Section 316 of the Companies Ordinance, 1984.</p>

<p class=MsoNormal style='margin-top:12.0pt;margin-right:0in;margin-bottom:12.0pt;margin-left:0in;text-align:justify;text-indent:.5in;line-height:150%'>The explanation offered by the learned counsel for the plaintiff has some force. In view of the withdrawal of suit against the defendant No.5 no permission as provided under Section 316 of the Companies Ordinance, 1984, is required.</p>

<p class=MsoNormal style='margin-top:12.0pt;margin-right:0in;margin-bottom:12.0pt;margin-left:0in;text-align:justify;text-indent:.5in;line-height:150%'>By filing application bearing CMA No.1011/2008 the plaintiff has prayed for withdrawal of the suit against the defendants Nos.4 and 5.</p>

<p class=MsoNormal style='margin-top:12.0pt;margin-right:0in;margin-bottom:12.0pt;margin-left:0in;text-align:justify;text-indent:.5in;line-height:150%'>In view of the above, this application is allowed as prayed. The suit stands dismissed as withdrawn against the defendants Nos.4 and 5 with no order as to cost.</p>

<p class=MsoNormal style='margin-top:12.0pt;margin-right:0in;margin-bottom:12.0pt;margin-left:0in;text-align:justify;text-indent:.5in;line-height:150%'>The order dated 15.12.2004 for adjourning the case sine-die is recalled and the office is directed to fix this case for appropriate purpose. </p>

<p class=MsoBodyText style='margin-top:0in;margin-right:0in;margin-bottom:0in;margin-left:4.5in;margin-bottom:.0001pt;text-indent:.5in;line-height:normal'> JUDGE</p>

<p class=MsoBodyText style='margin:0in;margin-bottom:.0001pt;line-height:normal'>*Farhan*</p>

<p class=MsoNormal align=center style='text-align:center'> </p>

<p class=MsoNormal align=center style='text-align:center'> </p>

</div>

</body>

</html>