

355/25

**SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**PRESENT:**

Mr. Justice Muhammad Ali Mazhar  
Mr. Justice Syed Hasan Azhar Rizvi  
Mr. Justice Aqeel Ahmed Abbasi

**C.M.A. No.656-K of 2024 in CPLA No.Nil-K of 2024**

(Seeking permission to file CPLA against the order dated 24.04.2024 passed by High Court of Sindh, Bench at Sukkur in CP No.D-249/2024)

Newport Engineering (SMC-PVT) ...Applicant/Petitioner (s)  
Limited

Versus

Sukkur Beverages Pvt. Ltd.

...Respondent(s)

For Applicant/Petitioner(s) : Mr. Basil Nabi Malik, ASC  
Mrs. Abida Parveen Channar, AOR

For the Respondent(s) : N.R.

Date of Hearing : 10.06.2025

**ORDER**

**Muhammad Ali Mazhar, J:-**. Learned counsel for the applicant argued that the applicant namely Newport Engineering (SMC-Pvt.) Limited is a single member company and during the proceedings the case was filed against its CEO/Managing Director and company was not party. Throughout the proceedings, they were declared *ex parte* however they filed Application under Section 12(2) CPC, which was dismissed. Thereafter, they moved Revision Application, which was also dismissed. Ultimately, the Managing Director/CEO of the Company Areeb J. Habib filed Constitution Petition before the High Court, which was also dismissed.

2. Learned counsel for the applicant failed to point out that whether they filed any application for impleading the company before the lower *fora*. Even otherwise, this is a single member

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company where only one Director/CEO is responsible for looking after the affairs of the company, who has 100% share holding in the said company.

3. After arguing at some length, the learned counsel submits that Areeb J. Habib will file Civil Petition for Leave to Appeal against the judgment dated 24.04.2024 rendered by the learned Divisional Bench of the High Court of Sindh, Bench at Sukkur in C.P No.D-249 of 2024, who was originally arrayed in the litigation in the lower *fora*, hence he does not press this Application. The Application is dismissed as not pressed.

  
JUDGE

  
JUDGE

  
JUDGE

  
Karachi  
10<sup>th</sup> June, 2025  
B-K Soomro

Not approved for reporting