

ORDER SHEET
IN THE ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

I.C.A. No.375 of 2017
Muslim Commercial Bank Limited
Versus
Dewan Salman Fibres Limited and another

S. No. of order / proceedings	Date of order / proceedings	Order with signature of Judge and that of parties or counsel where necessary.
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09.05.2022	Mr. Taimoor Aslam Khan, Advocate for the appellant. Mr. Azid Nafees and Syed Mudassar Ali Rizvi, Advocates for respondent No.1. Mr. Adeel Peter, Advocate for respondent No.2.
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Learned counsel for the contesting parties are in unison on their submissions that efforts are being made to settle the disputes out of Court. The learned Company Judge is presently seized of winding up petition and the next date of hearing is 27.05.2022. Before us order dated 25.10.2017 was challenged due to which the learned Company Judge had adjourned company original petition No.10/2009 *sine die* on the ground that there was a civil suit pending before the Hon'ble High Court of Sindh.

Learned counsel for the appellant submits that earlier dismissal of respondent No.1's application under Order VII, Rule 11 C.P.C., proceedings in company original petition No.10/2009 could not have been adjourned *sine die*.

Learned counsel for respondent No.1 has clarified that earlier respondent No.1 had raised objections to the jurisdiction of this Court entertaining company original petition No.10/2009 and had taken position that Hon'ble High Court of Sindh was the forum competent to take pending matter.

Be that as it may, the mere pendency of the instant appeal does not, in our view, prevent the learned Company Judge to proceed further with the matter.

On the joint request of the learned counsel for the contesting parties, this matter is adjourned for final arguments for a date in the first week of June, 2022.

This issues with the consent of the learned counsel for the contesting parties.

(ARBAB MUHAMMAD TAHIR)
JUDGE

(MIANGUL HASSAN AURANGZEB)
JUDGE

*Ahtesham**