

Form No: HCJD/C-121.

ORDER SHEET

IN THE ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

FAO No. 62 of 2015

Heavy Mechanical Complex Ltd. Taxila
Vs
Best-way Cement Limited, etc.

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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02) 02-10-2019. Nemo, for the appellant.
Malik Waris Khokhar Advocate, for
respondent no. 2.

No one is in attendance on behalf of
the appellant company.

2. The appellant through this appeal
has assailed order, dated 23-05-2015,
whereby application filed under Order
XXXIX Rules 1 and 2 of the Code of Civil
Procedure, 1908 was dismissed and
consequently order, dated 17-09-2007,
was recalled. Perusal of the impugned
order shows that the learned trial Court
did not exercise its discretion in an
arbitrary or fanciful manner. The
impugned order, dated 23-05-2015, is

well reasoned and does not require interference.

3. The appeal is, therefore, without merit and accordingly **dismissed**.

CHIEF JUSTICE

Tanveer Ahmed.

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