

IN THE COURT OF *MIRZA JAWAD A: BAIG*, DISTRICT & SESSIONS JUDGE,  
PRESIDING OFFICER, DISTRICT CONSUMER COURT,  
DISTRICTS: D.G. KHAN; LAYYAH; MUZAFFARGARH; RAJANPUR,  
50/Z, MODEL TOWN, DIVISIONAL HEAD QUARTER, DERA GHAZI KHAN.

(PHONE: PTCL No. 0642474100) (VNTC No. 0649239094) (FAX No. 0642470496).

Mohammad Naeem V Mehboob Autos & 3 others

COMPLAINT ABOUT NON DELIVERY OF MOTORCYCLE

Complaint/ Case No: 1502/205/11.  
Date of Institution: 12-05-2011.

06-09-2011:

Present: No body on behalf of the claimant but defendant No.4 is present in person along with learned counsel for the defendants.

The case is at the stage of the evidence of the claimant and payment of costs but since no body is present on behalf of the claimant today as such it is proper to adjourn the case sine-die without fixation of the date subject to the observations and procedure mentioned in the following paragraphs:-

Since the claimant is absent today through out the working time on this date as such it is proper to postpone the proceedings of the complaint without fixation of any date (sine-die) with reference to Rule 14 of PCP Rules 2009 with the condition that the complaint would be deemed to be dismissed after expiry of the period of 30 days.

However the claimant would be entitled to resumption of the proceedings by filing formal application which would be liable to be accepted without issuance of any notice to the defendant/s subject to the payment of Rs.100/- per day as costs payable to the defendant/s if filed within 30 days whereas notice pervi would be issued in the proceedings of the restored complaint to the defendant/s for providing fresh opportunity to defend the restored complaint.

Since the case is being contested by the defendant/s as such it is clarified that the claimant would be liable to pay the costs and the fine even if he would not file the application for restoration of the present complaint while the defendant/s would be entitled to get this order implemented by filing a formal application for implementation of this order after expiry of the period of 60 days, if no application for resumption of proceedings or restoration of the present file is moved by the claimant during the said period.

This file would be kept intact by the Ahlmad without page marking and without preparation of index for the period of 30 days and to be consigned by page numbering and preparation of proper index after the said period by treating the same as having been disposed off by due completion and made available for issuance of attested copies and kept under safe custody till the period fixed for destruction in accordance with the Rules & Orders of Honourable Lahore High Court.

Announced:  
06-09-2011.

(*MIRZA JAWAD A: BAIG*)  
D. & S.J./P.O., D.C.C., D.G.K.,  
PUNJAB, PAKISTAN.