

ORDER SHEET
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD.**

R.A. No.169 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE
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For orders on M.A. No.1931/2023.

21-08-2023

Mr. Abdul Ghafoor Hakro advocate for the applicants.
Mr. Syed Abbas Ali Jaffri advocate for the respondent.

This revision application challenges the order of the Additional District Judge Hyderabad in terms whereof an appeal initiated in respect of an order passed on an application under Order IX Rule 13 CPC has been dismissed. The main judgment and decree have not been challenged, it is only the ex-parte order/ judgment which was challenged by virtue of an application under order IX Rule 13 CPC and an appeal after dismissal was preferred. Both the learned counsel have now agreed that this application at the most be remanded to the appellate Court where ex-parte judgment and decree have been challenged in the shape of appeal. Since both the counsel appearing for private parties are in agreement, this revision application as requested is allowed only to the extent of setting-aside the order passed in Civil Miscellaneous Appeal No.07 of 2020. The appellate court may rehear the application as agreed between the parties.

The revision application stands disposed of in the above terms.

JUDGE

Irfan Ali