

Order Sheet

IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD

R.A. No. 149 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
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13.05.2024

For orders on MA 1717/24
For orders on MA 1718/24
For hearing of main case

Mr. Muhammad Sulleman Unar, Advocate for Applicant

1. Granted.
2. Granted subject to all just exceptions.
3. The Applicant has preferred the captioned Revision Application under Section 115 CPC impugning the Order made by VIIth Additional District Judge, Hyderabad on 25.4.2024 in Execution Application No. 01 of 2022 so as to dismiss his Application under Section 47 CPC seeking a determination as to whether the Decree Holder No.1 was entitled to institute the proceedings without any authority or power having been conferred by the Decree Holder No. 2. That question was answered by the Executing court in terms of the aforementioned order with it being observed that the suit had also been decreed in favour of the Decree Holder No.1, hence his competence was not a matter in doubt. A perusal of the Judgment confirms the correctness of this observation and on query posed to learned counsel as to what illegality or material irregularity afflicted the impugned Order of the Executing Court, no cogent response was forthcoming.

Under the circumstances, the Revision is found to be misconceived and is accordingly dismissed in *limine*.

JUDGE

karar_hussain/PS*