

ORDER SHEET  
**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**  
**C. P. No. S – 330 of 2019**

Date of hearing	Order with signature of Judge
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**Application in disposed of case**

For orders on CMA No.330/2019 (Restoration)

**17.03.2025**

Mr. Waqar Ali Phulpoto, Advocate for petitioner.  
Mr. Abdul Naeem Pirzada, Advocate for respondent No.1.

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Learned Counsel for respondent No.1 filed objections on the restoration application, which are taken on record.

After hearing both the learned Counsel, this application for restoration of the petition is allowed and the petition is restored to its normal position which was on 06.05.2024, before it was dismissed for non-prosecution.

This petition challenges the order of the trial Court as well as appellate Court with regard to the gold ornaments of 14 tola. The appellate Court gave observation that the jeweler, who had issued the receipts of gold ornaments, was not called into the witness box to corroborate and authenticate the claim of the appellant and her father. Learned Counsel for the petitioner agrees that it would be fit and in the interest of justice to set aside the order of the appellate Court and the trial Court to the extent of gold ornaments.

Accordingly, the petition is partly **allowed**, impugned judgments of the Courts below are set aside, and the matter is remanded to the trial Court to additionally examine the witnesses including the jeweler(s), who issued the receipts of gold ornaments, rehear the parties specifically with regard to gold ornaments of 14 tola, which were part of the dowry articles, and pass a detailed and speaking judgment afresh.

J U D G E