

ORDER SHEET
IN THE HIGH COURT OF SINDH BENCH AT SUKKUR
R.A No.S-135 of 2020

Date	Order with signature of Judge
1.	For orders on office objections
2.	For orders on CMA No.662/2020
3.	For hearing of main case.

10.03.2025

Mr. Tariq G. Hanif Mangi, advocate for the Applicants

Despite notice having been effected by way of publication, none has shown appearance on behalf of the Respondents. Such copy of newspaper dated 27.02.2025 is made available on the file.

After arguing the matter at length, learned counsel drew Court's attention to the judgment dated 07.09.2016, passed by the learned Senior Civil Judge, Kandiaro. He submits that subject is a well-reasoned and speaking judgment, wherein the learned trial court, after recording evidence, found the applicants' claim to be genuine. However, through the impugned judgment dated 12.03.2020, the learned appellate court did not specifically discuss the matter, rather merely reproduced the testimony of the respondent's witness, and set aside the judgment of the trial court.

As stated above, despite notice having been served through all modes including publication, none has effected appearance on behalf of the Respondents, hence service is held good.

I have carefully gone through the impugned judgment recorded by the learned Appellate Court, which appears to be sketchy and lacks required appropriate discussion of the evidence. It also does not refer to any specific evidence while setting aside the well-reasoned and speaking judgment of the trial court, rather chose to dismiss the same in a single paragraph.

At this juncture, learned Counsel for the applicants submits that he would not press instant revision application

provided the matter may be remanded back to the Appellate Court to rehear the parties and decide the Appeal afresh strictly on merits through a speaking and detailed judgment preferably within a period of 90 days. Ordered accordingly. Instant revision application is thus disposed of in the above terms.

JUDGE

Faisal Mumtaz/PS