

ORDER SHEET
HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
1st Appeal No.69 of 2023

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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Disposed of matter

- 1. For order on C.M.A No.2409/2025 (12 (2) CPC)
- 2. For order on C.M.A No.2410 (I R 10 CPC)
- 3. For order on C.M.A No.2411/2025 (41 R 5 CPC)
- 4. For hearing of C.M.A No.2110/2025 (12 (2) CPC)
- 5. For hearing of C.M.A No.2111/2025 (41 R 5 CPC)

09.12.2025

Muhammad Irshad, Attorney of applicant/intervener present person
Arif Ali Shaikh respondent No.1 present in person

The aforesaid C.M.As have been filed by Ms. Bazgha Chishti, daughter of Fazal M. Chishti except C.M.A No.2110/2025, which has been filed by her father, the appellant/defendant Fazal M. Chishti. The application has been filed through her husband, who has attached a Power of Attorney in support of his (wife) authorization. Ms.Bazgha Chishti alleges that her father has been defrauded and her husband, present in Court, submits that a fraud has been played upon them. The applicant-intervener argues that the aforementioned applications arise as a consequence of such alleged fraud. When queried by the Court as to whether such fraud was in relation to and/or arising out of the order dated 13.01.2025 passed by this Court, Mr. Muhammad Irshad, representative of the applicant/ intervener and submitting arguments allegedly on behalf of his father-in-law, Fazal M. Chishti , could not identify any such fraud or related incident. He contended that the order dated 13.01.2025 is under challenge before the Honourable Supreme Court of Pakistan in C.P.L.A. Nos. K-1335, 1336-K, 1337-K and 1347-K of 2023 (available at page 67)¹. No case of fraud in relation to the Order dated 13.01.2025 is made out neither by the appellant

¹ The Supreme Court dismissed the CPLAs as withdrawn on 03.09.2025, however, these impugn orders concern order dated 21.09.2023, passed in Civil Revision No.266/2023.

of C.M.A No.2110/2025 nor by his daughter. This is notwithstanding that the decree is operating against Fazal M. Chishti, who according to Mr. Muhammad Irshad, is alive but aged and unwell and no case can be made out by the daughter during the life time of her father in the applications filed by her particularly in the absence of the father's express authorization, which is wholly missing and these applications are liable to be dismissed for this reason too. The daughter has no locus standi to move such applications without authorization from her father. The daughter of the judgment-debtor, Fazal M. Chishti, she is a stranger to these proceedings and so is her attorney/husband, Muhammad Irshad.

Given the above, no ground can be made out for hearing any of the applications listed for orders/hearing today after the Order dated 13.01.2025, passed by this bench dismissing this 1st Appeal. Therefore, all the listed applications are hereby **dismissed** in *limine*.

JUDGE

AHSAN K. ABRO