

Order Sheet
IN THE HIGH COURT OF SINDH KARACHI
IIInd Appeal No. 116 of 2020

Date	Order with Signature of Judge
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1. For hearing of CMA No.2528/2020
2. For hearing of main case

22.01.2026

None have been present on behalf of the appellant/plaintiff-Muhammad Yousuf Babar on last several dates of hearing. No intimation has been received except for 08.12.2025. It appears from perusal of documents available on record that the appellant/plaintiff had filed Civil Suit No.1302/2016 against respondent/defendant-Azam Ahmed for recovery of Rs.412,000/- concerning dishonor of two cheques in the sum of Rs.200,000/- each drawn on KASB Bank Ltd., and Habib Metropolitan Bank Ltd., respectively, as well as damages amounting to Rs.10,000,000/- with profit/mark-up. After recording of evidence, the IIIrd Senior Civil Judge Karachi Central ("trial Court") dismissed the Civil Suit vide Judgment dated 01.02.2018 and Decree dated 02.02.2018. The trial Court concluded that the two cheques were dishonoured on several dates in April 2014 but did not find evidence available to support the appellant/plaintiff's claim against the respondent/defendant for the several reasons stated therein. In fact contradictory evidence was found by the trial Court concerning the bounced cheques causing doubt as to how they reached the appellant/ plaintiff viz. proving his claim for recovery for the value of the cheques in relation to the underlying agreement between the parties and damages. It may be noted that the appellant/plaintiff's claim was not a summary suit. Further, even otherwise, the payments allegedly claimed by the appellant/plaintiff arose for the year 2014 and the suit for recovery of damages was filed after more than three (3) years when the cheque bounced. The appellant/plaintiff's claim was not accepted by the trial Court who dismissed the suit, including on the ground of limitation, where-after, the appellant/plaintiff filed an appeal. No case for appeal was made out and the IIInd Additional District Judge Karachi Central in 1st Appeal No.66 of 2018, passed the impugned judgment dated 03.03.2020 dismissing the appeal. I have considered the pleas of the appellant/plaintiff independently based on the record available in this IIInd Appeal and there appears to be no defect in the impugned judgment passed by the two forums below.

For the above reasons, I do not find any defect in the impugned judgment dated 03.03.2020 and therefore, this IIInd Appeal is hereby dismissed.

J U D G E

Ashraf