

ORDER SHEET
IN THE HIGH COURT OF SINDH CIRCUIT COURT MIRPURKHAS
C.P No.S-75 of 2026

DATE ORDER WITH SIGNATURE OF JUDGE

1. For orders on office objection.
2. For orders on M.A No.577/2026
3. For hearing of main case.

12.03.2026

Mr. Agha Iftexhar Hussain, advocate a/w petitioner.

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None present for the respondents despite issuance of notices. The instant petition has been preferred against the dismissal Order of the application under Order VII Rule 11 CPC filed by the petitioner by both the courts below.

After arguing the matter at length, learned counsel for the petitioner, under the instructions, state that he would be satisfied if the petition is disposed of in the terms that learned trial court be directed to frame proper issues including issue of limitation and issue pertaining to the previous proceedings filed by the respondents earlier and to decide the matter expeditiously. Order accordingly.

In view of the above, the impugned Order dated 29.01.2026 passed by learned Additional District Judge-II, Tando Adam in Civil Revision Application No.47/2025 is upheld and the petition is disposed of in the terms that learned trial court is directed to frame proper issues which shall include issues regarding (i) the maintainability of the suit, (ii) limitation and (iii) earlier proceedings initiated by the respondents against the petitioner. Learned trial court shall decide the suit after recording evidence of the parties within a period of 90 days positively from the date of receipt of this Order, whereby no unnecessary adjournment shall be granted to any of the parties and compliance report be filed in this regard with the Additional Registrar of this Court.

The instant petition is disposed of alongwith listed application in above terms.

JUDGE

Faisal