

ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT MIRPURKHAS

Civil Revision Application No.S-72 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For order on office objection.
2. For order on M.A No. 406/ 2025.
3. For order on M.A No. 407/ 2025.
4. For hearing of main case.

09.03.2026.

Mr. Farhan Ahmed Bozdar advocate for the applicant.

Mr. Ayaz Ali Rajpar, A.A.G.

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None present for the private respondents despite of repeated notices issued by this Court. However, with the able assistance of learned A.A.G and learned counsel for the applicant, I have perused the record, which shows that plaint of the applicant was rejected in *limini*, without notice to the defendants, on the ground of limitation; whereas learned counsel for the applicant has pointed out that it was a clear case of trial since fraud was alleged and the date of knowledge was also mentioned in the paragraph of cause of action in the plaint, which was not considered by the learned Courts below.

For the reasons to follow, instant Revision Application is allowed and impugned Order dated 26-07-2025 passed in Civil Appeal No.02/ 2025 by the learned Additional District Judge, Khipro and Order dated 09-01-2025 passed in F.C.Suit No.04/ 2025 by the learned Senior Civil Judge Khipro, are set aside and matter is remanded back to the learned trial Court with direction to allow opportunity to the respective parties to contest the matter and pass a Judgment based upon the evidence produced by the parties preferably within a period of 90 days from the receipt of this Order.

In view of above, instant Revision Application alongwith pending listed applications is hereby disposed of.

JUDGE

