

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI.
R.A.No.84 of 2014

DATE: ORDER WITH SIGNATURE(S) OF JUDGE(S).

Fresh Case

1. For orders on CMA No.4627/2014
2. For hearing of Main Case.

03.10.2016

Mr. Abdul Khalique, Advocate for the Applicant.

The instant revision application emanated from the Order dated 02.04.2014 passed by learned Additional District Judge-VII, Karachi (South) in Civil Appeal No.188 of 2002, where an application Under Order IX Rule 9 read with Order XLI Rule 19 CPC, to restore the application dated 06.02.2014, was made. The learned Judge has very eloquently addressed the conduct of the Appellant and has given thoughtful reason for dismissing the application.

In the today's arguments, learned counsel submitted the reasons to remain away from the Court and took this Court to pages 57 and 63, which were the affidavits that he filed in support of his contentions for being away from the Court. The impugned order has taken cognizance of both these affidavits and has held them as tactics to further delay the matter, which pertains to a civil suit of the year 1992. In the line of the judgment of the Apex Court, the order validly concludes that the application cannot be restored on such flimsy grounds. A careful reading of the order and supported affidavits, as described hereinabove, makes it clear that the order impugned does not fall short of any cogent or legitimate reason, warranting interference of this Court. Accordingly, the instant revision application is dismissed alongwith the listed applications.

Manzoor

Judge