

ORDER SHEET
**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT HYDERABAD**

R.A. No. 323 of 2010

DATED **ORDER WITH SIGNATURE OF JUDGE**

29.05.2017

For katcha peshi

Mr. Gulab Khan Qaimkhani, Advocate for applicant
None present for respondent

None present for the respondents which has been the case for past many hearings. Learned counsel for applicant contended that the Appellate Court has passed the impugned judgment in violation of the requirement of Order 41 Rule 31 CPC where the Appellate Court has to specify the points for determination, the decision thereon and the reason for the decision. Learned counsel submits that the Trial Court framed 5 issues; however, the Appellate Court has not taken into consideration the same and had failed to pass a comprehensive judgment wherein all the points / contentions were to be discussed and a conclusive decision was to be given thereon.

In the given circumstances when no representation is made from the respondents and the matter pertaining to the year 2010, the matter is remanded to the Appellate Court who should rehear the parties and pass a judgment in compliance of the requisites of Order 41 Rule 31 CPC within six months.

This Revision Application is allowed in the above terms.

JUDGE