

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

R.A. No.156 of 2014.

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DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on CMA-689 of 2015.
2. For katcha peshi.
3. For hearing of M.A-927 of 2014.

27.03.2018.

None present for the applicant.

Mr. Aurangzeb Talpur, Assistant Attorney General of Pakistan.

Mr. Muhammad Aslam Bhatti, Advocate for the respondents / SSGC.

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Counsel for the applicant called absent, which was the case on the last date of hearing also when the applicant present in person sought adjournment on behalf of his counsel.

2. Brief facts of the case are that the controversy was agitated by filing of F.C. Suit No.34/2007 by the applicant whose gas meter was removed on account of non-payment of a considerable amount of Rs.9,62,202/-. The allegations were made of gas theft.

3. The learned counsel for the respondents / SSGC draws attention of the Court to the judgment of the trial Court which was decreed in favour of the applicant as defendants / respondents were ordered to continue gas supply by installation of the new gas meter to the applicant, however, the trial Court did not apply its mind as to the non-payment of the arrears of huge amount by the applicant, which resulted in filing of appeal before the appellate Court where the judgment of the trial Court was set aside, against which the instant revision has been filed.

4. The matter pertains to supply of gas whose theft is a serious offence under the provisions of Oil & Gas Regulatory Act. In the given circumstances, a detailed scrutiny of the judgments of the Court below makes it crystal clear that the judgment and decree passed by the trial Court was faulty and without application of mind and the appellate Court correctly set aside the said decree. I accordingly find no reason to interfere with the appellate Court's judgment, therefore, dismiss the instant revision alongwith the listed applications. Resultantly, the respondents / SSGC to proceed with recovery of the arrear amount as well as other applicable charges in accordance with law.

JUDGE