

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
C.P.No.D-333 of 2017

DATE

ORDER WITH SIGNATURE OF JUDGE

For orders on MA-10052/19

12.12.2019.

Barrister Muhammad Azmatullah Channa, advocate for petitioner.

Mr. Muhammad Ismail Bhutto, Additional Advocate General, Sindh.

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The petitioner through his attorney by way of listed application has sought for restoration of his petition, which was dismissed by this Court on 28.08.2019, for non-prosecution.

It is stated by learned counsel for the petitioner that he could not attend this Court timely for the reason that he was busy before a Model Trial Court at Hyderabad. If it is believe to be so, then the petitioner or his attorney was under lawful obligation to have intimated this Court about the preoccupation of his learned counsel. Learned counsel for the petitioner when was confronted with such situation stated that the attorney of the petitioner on the relevant date was busy at Islamabad. No such proof is filed. No doubt, the petition dismissed for non-prosecution could be restored to its regular hearing but there could be no denial to the fact that such

exercise could only be taken on the basis of advancement of sufficient cause and not otherwise. No sufficient cause is advanced by the petitioner or by his attorney, which may justify this Court to restore the instant petition to its original stage at the cost of its precious time. The law favours diligent and not negligent litigant. Consequently, the listed application is dismissed.

JUDGE

JUDGE

Ahmed/Pa,