

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

R.A. No.256 of 2012.

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For hearing of C.M.A-1395 of 2012.
2. For katcha peshi.
3. For hearing of C.M.A-1396 of 2012.
4. For hearing of C.M.A-935 of 2013.

13.04.2018.

Mr. Wali Muhammad Jamari, Assistant A.G.

Mr. Arbab Ali Hakro, Advocate for respondents No.1 and 2.

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It is an admitted position that the respondents No.1 and 2 have not been given the sums since 1998. The learned AAG submits that the money for distribution to the Khatedars was handed over to the concerned Officer as per letter dated 30.09.1998, however, the said officer embezzled the funds and did not make onward payments to Khatedars.

In the case at hand, the award is only Rs.3,87,100/- and any interest thereon, but matter is pending since 2012 without any justification. Learned counsel for respondents No.1 and 2 submits that even the instant revision is time barred.

A review of the record shows that the instant revision has been filed against the concurrent findings of the Courts below. A perusal of the judgments impugned shows that the same have been passed after considering the evidence available on record and hearings both the sides, no illegality or irregularity seems to have been committed by these Courts, and in the absence of any defect in the concurrent findings of the Courts below, interference of High Court in civil revision as held by Apex Court in **2006 SCMR 50 (b)**, amounts to improper exercise of revisional jurisdiction.

In the given circumstances as well as in the light of the above cited judgment of the Apex Court and other judgments delivered on the same point being **2006 SCMR 1304** and **2010 CLC 528**, the instant revision preferred

against concurrent findings of the Courts below, merits no consideration and the same is accordingly dismissed alongwith pending applications.

JUDGE

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