

**IN THE HIGH COURT OF SINDH,
AT KARACHI**

Present:

Ahmed Ali M. Shaikh, CJ

Yousuf Ali Sayeed, J

C.P No. D-257 of 2022

Petitioner : Muhammad Aamir through Syed
Muhammad Akbar, Advocate.

Date of hearing : 21.03.2022

ORDER

YOUSUF ALI SAYEED, J. Through the instant Petition under Article 199 of the Constitution, it has been prayed that the Judgment rendered by the VIIth Senior Civil Judge Karachi (Central) in Civil Suit No.1330 of 2017 dated 08.10.2019 and the resultant Decree prepared on 11.10.2019 be set-aside, while simultaneously seeking that the proceeding of Civil Revision No.10 of 2021 pending before VIIth Additional District Judge Karachi (Central) be stayed on the ground that the forum is *coram non judice*.

2. As it transpires, the Petitioner had apparently filed an Application under Section 12 (2) CPC assailing the aforementioned Judgment, and upon dismissal of that application had filed the Civil Revision. As such, it is not open to the Petitioner to by-pass the Revision Court so as to resort to the Constitutional jurisdiction of this Court in order to assail the Judgment and Decree, and he certainly cannot now impugn the jurisdiction of a forum that he had himself invoked.

3. As such, the Petition is clearly misconceived and accordingly stands dismissed *in limine* along with all pending miscellaneous applications, leaving the Petitioner at liberty to avail his remedy before the fora below.

Judge

Chief Justice

TariqAli/PA