

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. No. D-7085 of 2022

Date	Order with signature of Judge
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FRESH CASE.

1. For orders on Misc. No.30036/2022.
2. For orders on Misc. No.30037/2022.
3. For hearing of main case.

21.11.2022.

Mr. Muhammad Sohail Zafar Butt, Advocate for Petitioner.

YOUSUF ALI SAYEED, J. - The Petitioner has invoked the jurisdiction of this Court under Article 199 of the Constitution, impugning the Order dated 25.10.2022 made by the learned Additional District Judge-VI/ Model Civil Appellate Court-Ext: Karachi, Central, allowing Civil Revision No.71/2021 filed by the Respondent No.1 so as to set aside the dismissal of the Application filed by that Respondent under Section 12 (2) CPC in Execution No.13/2019 emanating from Civil Suit No.874/2018, with the directions to the trial Court to decide the same afresh after framing issues and recording evidence.

Under the given circumstances, where the matter is merely one of remand, with the judgment and decree remaining intact for the time being, no real prejudice can be said to have been caused to the Petitioner, and we even otherwise see no illegality or irregularity marking the Order of the Revisional Court warranting the exercise of the extraordinary Constitutional Jurisdiction of this Court. Indeed, on query posed, learned counsel for the Petitioner was at a loss to advance any cogent argument in that regard. That being so, while granting the application for urgency, we accordingly dismiss the Petition *in limine*, along with the other miscellaneous applications.

JUDGE

CHIEF JUSTICE