

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI.**

**C.P No. D-1157 of 2023**

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Dated                      Order with signature of Judge.

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**Fresh case**

1. For order on Misc. No.5516/2023
2. For order on Misc. No.5517/2023
3. For order on Misc. No.5518/2023
4. For hearing of main case.

**02.03.2023.**

Mr. Ali Raza Hubb, Advocate for the Petitioner

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**YOUSUF ALI SAYEED, J.-** The Petitioner has invoked the jurisdiction of this Court under Article 199 of the Constitution, seeking to impugn the Order dated 31.01.2023 made by the VIIth Additional District Judge (MCAC) Karachi South, dismissing Civil Revision No.153 of 2022 filed by the Petitioner so as to uphold the Order made by the Xth Senior Civil Judge Karachi (South), in Civil Suit No.1098 of 2013 on 19.10.2023 dismissing the objections filed by the Petitioner against production of certain witnesses by the Respondent No.2 in support of his Application under Section 12 (2) CPC.

The underlying Order of the learned Senior Civil Judge reflects that the cross examination of witness is yet to take place and the probative / evidentiary value of the testimony of challenged witnesses is yet to be determined, inasmuch as the Section 12 (2)

Application apparently remains pending. Needless to say, subject to the outcome of that Application, the contesting parties would be able to avail their further remedy in accordance with law.

Under such circumstances, we see no force in the Petition, which is found to be misconceived. That being so, while granting the application for urgency we hereby dismiss the Petition in *limine* along with the other pending miscellaneous applications.

JUDGE

CHIEF JUSTICE