

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

C.P.No. S- 584 of 2018

Date of hearing	Order with signature of Judge.
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Application in D/O Case
For hearing of CMA 5272 of
2020(Restoration)

24-03-2023

Mr. Manzoor Hussain Halepoto, Advocate or the petitioner.
Mr. Noor Hassan Malik, Assistant A.G.

Instant petition was dismissed by this Court for non-prosecution vide order dated 12.03.2020 and thereafter petitioner filed listed application for restoration of the petition on 19.10.2020 with the delay of seven months and seven days, which itself is time barred under Article 163 of the Limitation Act, 1908, which provides a period of thirty days for filing of an application for setting aside a dismissal for default of appearance from date of the dismissal.

Contention of learned counsel for the petitioner in this regard is that since the civil work in the High Court was suspended vide Circular dated 22.03.2020, restoration application could not be filed within stipulated period.

I am afraid; such contention of learned counsel hardly advanced the case of the petitioner for restoration of the instant petition, as the civil work suspended due to Covid-19 was resumed on 3rd August, 2020 vides Circular No. RHC/PA/CIR/2020 Karachi dated 25th July, 2020 and even from the said date, restoration application is time barred by one month and nine days, for that no application for condonation of such delay has been filed by the petitioner. Hence, listed restoration application being time barred is **dismissed** accordingly.

JUDGE

Ahmad