

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD.

R.A. No. 77 of 2023

DATE

ORDER WITH SIGNATURE OF JUDGE

31.03.2023.

FOR ORDERS ON C.M.A. 740/2023.
FOR ORDERS ON C.M.A. 741/2023.
FOR ORDERS ON C.M.A. 742/2023.
FOR HEARING OF MAIN CASE.

Mr. Nasir Raza Ghazi Advocate for the applicant.

1. Granted.

2. Granted subject to all just exceptions.

3&4. In essence the Applicant seeks stay of Suit for the reasons so stated in its Application filed under Order 39 Rule 1 & 2 CPC. Both the courts below have dismissed such application as the prayer is outside the purview of such provision. After being confronted as to entertaining this civil revision application against such dismissal as apparently the forums below have rightly done so, counsel does not press this Revision and submits that the Applicant may be permitted to approach the concerned trial court by way of an appropriate application under the relevant provision of law, if any, for seeking such relief regarding stay of the proceedings for the reasons as mentioned in the injunction application filed under order XXXIX rule 1 & 2 CPC. Ordered accordingly.

JUDGE

A.