

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. D – 1128 of 2020

Date of hearing	Order with signature of Judge
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Present:

Mr. Muhammad Iqbal Kalhoro, J.

Mr. Arbab Ali Hakro, J.

Fresh case

1. For orders on office objections at Flag-A
2. For orders on CMA No.5329/2020 (Ex./A)
3. For hearing of main case

12.10.2023

Mr. Mushtaque Ahmed Shahani, Advocate for petitioner.

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Muhammad Iqbal Kalhoro, J. – Petitioner has assailed an order dated 22.10.2019, dismissing his Review Application by IInd Additional District Judge, Sukkur on 22.10.2019, filed against an order dated 15.01.2019, whereby Civil Revision Application No.42 of 2017, filed by petitioner, was dismissed by learned IIIrd Additional District Judge, Sukkur.

2. At the very outset, we have asked learned Counsel that as to why he did not file a proper proceeding against a dismissal order of Civil Revision Application, he has no reply and submits that instead of challenging the order dated 15.01.2019, dismissing his Revision Application, he preferred a Review Application. We have asked him as to on what grounds, a Review Application was filed, he has not been able to satisfy us and has not disputed the legal position either that a review would be maintainable only when a material brought before the Court was not considered, or subsequently, after the order is passed, a fresh material comes in the notice of aggrieved party and which is brought in the Court for consideration in review.

3. In this case, it appears that a Review Application instead of a proper proceeding challenging the order dated 15.01.2019, dismissing the Revision Application, was filed by the petitioner without any cogent ground. The reasons given by the learned Additional District Judge, while dismissing the Review Application, are cogent and based on proper appreciation of facts and law, which cannot be reversed in constitutional jurisdiction. This being the position, we find this petition without any merit and **dismiss** it in **limine** along with listed application.

J U D G E

J U D G E

Abdul Basit