

Order Sheet
IN THE HIGH COURT OF SINDH AT KARACHI
Constitution Petition D - 8498 of 2018

Date	Order with signature of Judge
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1. For hearing of CMA No.37243/2018.
2. For hearing of main case.

14.11.2023

Mr. Abid Ali Thebo, advocate for the petitioner.

Mr. Atif Hafeez, advocate for respondent No.2.

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We have heard the learned counsels and perused the record. The order impugned of a Revisional Court passed in Civil Revision Application No.02/2018 whereby the order passed by the Senior Civil Judge allowing the application under Section 30 CPC read with Order XVI Rules 1 & 2 CPC was set aside on the count that perhaps the record is an old one and may not be fruitful for the petitioner. When confronted from Mr. Atif Advocate he submits that petitioner is enquiring about some very old record which may or may not be available.

This precisely is not the question. Petitioner under Order 16(1) CPC intend to summon a witness for producing some record. Whether it is of any benefit or whether the record is old is not a question at the time of summoning the witness. It is an exercise which may require indulgence Later. With this understanding the learned counsel for respondent No.2 conceded and petition is allowed to the extent that the witness disclosed in the application be summoned and examined in accordance with law.

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