

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
HCA No.314 of 2024

Date	Order with signature of Judge
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FRESH CASE.

1. For orders on CMA No.1954/2024.
2. For orders on CMA No.1955/2024.
3. For orders on Office Objection a/w reply as at "A".
4. For orders on CMA No.1956/2024.
5. For hearing of main case.

18.09.2024.

Appellant is present in person.

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The Appellant has sought to impugn an Order made by a learned Single Judge of this Court on 25.03.2024, whereby Suit No.940/2020 filed by him was dismissed as being time-barred. As it transpires, the Appeal was presented on 11.09.2024, after expiry of the period of limitation, accompanied by an Application under Section 5 of the Limitation Act 1908, seeking condonation in that regard. A perusal of the certified copy of the impugned Order reflects that it was applied for as belatedly as 24.08.2024, with the solitary plea taken by the Appellant in support of the prayer for condonation being that he was suffering from various diseases such as feet spasm, skeletal muscles spasm, osteoarthritis, hernia and depression between 26.03.2024 to 24.08.2024, hence was confined to his home for 19 to 21 hours a day between that period, and used spiritual treatment and homemade medicine to heal himself thereafter. Needless to say, no document to speak of has been filed by was of corroboration. Furthermore, a perusal of the impugned Order reflects that the said Suit itself was found to have been filed with a delay of 14 years, with the only explanation being advanced in that regard also being a medical one supported through a self made certificate alluding to spiritual treatment and another document put

forward in the shape of certificate purportedly issued by the Jinnah Postgraduate and Medical Center, Karachi, which was found to be forged and fabricated when referred for verification. Under such circumstances, no case for condonation of the delay in the filing of the Appeal stands made out. As such, the Application under Section 5 of the Limitation Act 1908 stands dismissed with the result that the Appeal also stands dismissed as being time barred along with the other Miscellaneous Applications.

JUDGE

JUDGE

MUBASHIR