

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

Revision Application No. 253 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
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25.10.2024.

FOR ORDERS ON C.M.A. 3091/2024.[Urgency]
FOR ORDERS ON C.M.A. 3092/2024.[Limitation]
FOR ORDERS ON C.M.A. 3093/2024.[Stay Application]
FOR HEARING OF MAIN CASE.

Mr. Noor Nabi Samo Advocate for Applicants.

1. Granted.

2to4. Through this Civil Revision Application under Section 115 of the Code of Civil Procedure 1908, the Applicants seek to impugn the Judgment rendered on 16.12.2023 by the Additional District Judge-II Tando Adam, dismissing Civil Appeal No.121 of 2023 preferred against the Judgment and Decree passed on 31.08.2023 by the learned Senior Civil Judge Tando Adam in F.C.Suit No.42 of 2022 filed by them for Declaration, Possession and Permanent Injunction in respect of land measuring 14-10 acres out of Survey No.34, 35, 36, situated in Deh 64 Jamrao Taluka Jam Nawaz Ali, Tapo Ditoor District Sanghar. The fora below decided against the Applicants, hence this Revision.

On query posed as to what illegally marked the underlying proceedings, the only response forthcoming was that certain documents had subsequently been issued in favour of the Applicants which had a material bearing on the matter. However, when asked to point out the relevant documents, Counsel was at a loss to refer to any annexure filed in the matter. Even otherwise, such a ground is scarcely relevant for purpose of a Revision. Additionally, it is apparent that the matter has been filed after lapse of the relevant period of limitation, with the Application under Section 5 of the Limitation Act and affidavit filed in support thereof not setting out any proper reason whatsoever to explain the delay. Under such circumstances, the revision stands dismissed accordingly along with the pending miscellaneous Applications.

JUDGE