

ORDER SHEET

**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**

**Civil Revision No. S – 27 of 2016**

Date of hearing	Order with signature of Judge
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**Hearing of case (priority)**

1. For hearing of main case
2. For hearing of CMA No.241/2016 (Stay)

**14.10.2024**

Mr. Mian Abdus Salam Arain, Advocate for respondents No.1 to 3.  
Mr. Asfandyar Kharal, Assistant Advocate General Sindh.

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None present for the applicants. After ordering issuance of notices by this Court in this case, Counsel for the applicants remained absent on 19.02.2018 and 12.03.2018. Then on 20.02.2020, applicant No.13(f) was present and requested for adjournment as his Counsel was busy before another Bench of this Court. Similar request was made by applicant No.13(f) on 27.08.2020 when his Counsel was reportedly not well. On 08.04.2021, Mr. Mushtaque Ahmed Solangi, Advocate, holding brief for Counsel for the applicants, sought adjournment submitting that latter was busy in his nephew's marriage. Thereafter, on three dates viz. 03.05.2021, 29.10.2021 and 29.11.2021, requests for adjournments were made by applicant No.13(f); the ground raised on first and third dates was death of his Counsel's relative, and on the second date, it was claimed that his Counsel was on the way. On 17.10.2022, Counsel for the applicants was present, however, on the subsequent two dates again, the position remained same where on 19.12.2022, applicant No.13(f) submitted that his Counsel was on the way, and on 16.10.2023, none was present for the applicants, and on that date, the matter was adjourned by way of indulgence and with a note of caution that if no one appears or learned Counsel fails to proceed with the matter on the next date, the instant revision application shall be liable to be dismissed. Thereafter, on 30.10.2023, Counsel for the applicants appeared for the second time and sought time in the light of order dated 19.12.2022, whereby he was directed to file proper application for joining of LRs of respondent No.8(b).

On 03.05.2024, when none was present on behalf of the applicants, the following order was passed:

*“None present on behalf of the applicants. It appears from the record that the learned Counsel for the applicants avoids to appear and assist this Court. This was the position on 19.12.2022 thereafter matter was posted on 16.10.2023 whereby he was called absent without intimation and then again matter was fixed on 30.10.2023 whereby learned counsel put his appearance and the matter was adjourned to 24.11.2023. Today he is called absent. Counsel for applicants shall appear and assist this Court on the next date. In case of failure matter shall be heard and decided in his absence without providing further opportunity of hearing to him.*

*Adjourned to 13.05.2024. In the meanwhile, intimation notice be issued to counsel for applicants.”*

Thereafter, on two dates viz. 13.05.2024 and 20.05.2024, appearance of Mr. Tariq G. Hanif Mangi, Advocate was marked as Counsel for the applicants, and by consent the matter was adjourned to next dates. However, Mr. Mangi, who is present in Court in some other matters, submits that it was some misconception as he is not the Counsel in this matter, and in fact, Mr. Muhammad Tarique Panhwar is representing the applicants. Due to that misunderstanding, on 09.09.2024, a brief for Mr. Tariq G. Hanif Mangi instead of Mr. Muhammad Tarique Panhwar was held by Mr. Abdul Sattar, Advocate. The matter, though by providing last opportunity to learned Counsel for the applicants, was adjourned for today, but it was observed that in case of failure, the revision, which is pending since 2016, would be heard and decided in accordance with law, in his absence without providing further opportunity to him.

In view of the aforesaid detailed position, it is quite clear that applicants and their Counsel are not interested to pursue this Civil Revision, which is accordingly **dismissed for non-prosecution** along with listed application.

J U D G E