

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

1st. Civil Appeal No. S – 23 of 2022

1st. Civil Appeal No. S – 24 of 2022

Hearing of case

1. For orders on office objection at flag 'A'
2. For hearing of main case

04.03.2025

Mr. Rukhsar Ahmed M. Junejo, Advocate for Appellants in both the Appeals

ORDER

ZULFIQAR AHMAD KHAN, J:- None present for the respondent despite notice issued to him. Learned counsel for the appellant draws Court's attention to the impugned judgment and states that right of fair trial of the appellant has been infringed by the various orders and the Summary Suit filed by the respondent ought to have been decided on merits after giving the appellant an opportunity to defend his case, which opportunity was allegedly mischievously withheld.

It is thus ordered that the Summary Suit be proceeded with afresh upon the applicant here making a fair suitable security as deemed appropriate by the concerned Court before whom the earlier Summary Suit No.69/2019 was pending. The impugned judgments/decrees passed by trial Court are set aside. Let the matter be decided on merits afresh after giving an opportunity of defence to the appellant subject to the payment of suitable security to be deposited with the concerned Court.

The instant Appeals are disposed of in the above terms.

Office to place a signed copy of this order in the captioned connected matter.

Judge