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ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
RA No. 116 of 2016

Date: Order with signature of Judge

For hearing of main case

03.4.2018

Mr. Muhammad Fazle Rabbi for applicant
.x.x.x.x.

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This revision application is filed against concurrent findings of two Courts below. The plaint was rejected as being barred by time which order was maintained by the appellate Court though it was observed that even the appeal was barred by time.

I have perused the contents of the plaint. It is disclosed in para-10 of the plaint that the cause of action triggered in the year 1978 when the plaintiff booked a residential plot No.229-B,, Block-IV in Pir Ahmad Zaman Town, Karachi as benami and it was finally triggered in 2006 when final payment was made and the lease was refused to be executed. Plaint was filed in the year 2016 after lapse of 10 years. There is no explanation nor even the application for condonation of delay was filed. It is claimed that it is a typing error however it is not denied that the last payment was made in the year 2006. Even in the appeal the applicant has not taken any such ground that it was a typing error. I do not see any reason to interfere in the concurrent findings of two Courts below specially when the applicant himself pleaded that the cause triggered in the year 2006 when the entire payment was made and the suit was filed belatedly in 2016. The revision application is dismissed.


Judge