

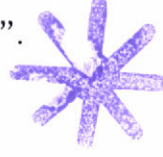
ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

RA.No.70 of 2020

Muhammad Ashraf & others
Versus
Province of Sindh & others

Date: Order with signature of Judge

1. For orders on CMA 2177/20
2. For orders on office objection as at "A".
3. For orders on CMA 2178/20
4. For hearing of main case
5. For orders on CMA 2179/20



Dated: 26.03.2020

Mr. Qadir Bux Jarwar advocate for applicants.

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This Revision Application is against the concurrent findings of two Courts below. Respondents No.5 to 9 filed suit for declaration, possession and injunction, which was decreed in terms of the impugned judgment whereby they were also declared as legal heirs of Walidad Jokhio and entitled for possession of the subject plot. Plaintiffs/private respondents recorded their evidence whereas the applicants, being defendants in the suit, failed to appear in support of their pleadings hence it is not a case of misreading or non-reading of evidence as far as applicants' assertion/contention is concerned. They (applicants) have failed to appear in the witness box. More importantly the evidence that has come on record was taken into consideration by two Courts below and accordingly judgment and decree was passed by the trial Court, which was maintained by appellate Court. Learned counsel for applicants has also not been able to show any title in favour of the applicants during course of his arguments. There is nothing in this Revision Application, which could be considered for any indulgence in favour of applicants in terms of Section 115 CPC as it is neither a case of misreading or non-reading of evidence nor a case of jurisdictional error and/or being not conferred upon the trial Court and appellate Court. Such being the case, Revision Application is dismissed in limine along with listed applications.

Judge