

ORDER SHEET  
**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**  
**Civil Revision No. S – 139 of 2024**

Date of hearing	Order with signature of Judge
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**Hearing of case**  
For hearing of main case

**17.03.2025**

M/s Muhammad Uzair Shaikh and Amir Ali Bhutto, Advocates for applicants.  
Mr. Ahmed Ali Shahani, Assistant Advocate General Sindh.

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**Zulfiqar Ahmad Khan, J. –** Despite service, no one has appeared on behalf of the respondents.

2. Learned Counsel for the applicants states that the respondents (plaintiffs) filed a suit for declaration, cancellation of sale deeds, mutation entries and permanent injunction, which, per learned Counsel, was time barred. The applicants (defendants) filed an application for rejecting the plaint under Order VII Rule 11, CPC. They claimed that father of the respondents (plaintiffs), in his lifetime, had sold out the suit land to applicant No.2 (defendant No.1), first purchaser, through registered sale deed dated 17.09.1995, and applicant No.2 had further sold out the said land to applicant No.1 (defendant No.2), second purchaser, through registered sale deed dated 17.12.1995, and the possession is with him. He added that the challenge to the registered instruments has been made after 27 years, which was time barred, which was taken as the ground seeking rejection of the plaint.

3. The said application filed under Order VII Rule 11, CPC was dismissed vide order dated 03.12.2022, passed by learned Senior Civil Judge-II, Sukkur in F.C. Suit No.24 of 2022, which order, challenged by the applicants in Civil Revision No.14 of 2023, has been maintained by dismissing the Civil Revision vide order dated 25.03.2024, passed by

learned Model Civil Appellate Court / 2<sup>nd</sup> Additional District Judge, Sukkur. Hence, this Civil Revision has been filed before this Court assailing the same.

4. Learned Counsel for the applicants states that the respondents are deliberately avoiding to appear before this Court, and are prolonging the matter. However, he submits that he would not press the instant Civil Revision, if the trial Court is directed to proceed with the matter on merits expeditiously.

5. Accordingly, the request made by Counsel for the applicants is allowed, and the trial Court is directed to proceed with the case on merits expeditiously, following all the legal process and pass a detailed and speaking judgment, after framing of issues, recording evidence of the respective parties and hearing them, however, within a period of three months hereof.

The Civil Revision stands **disposed of** in the above terms. However, the trial Court shall not be influenced by any of the impugned orders.

J U D G E

Abdul Basit