

HIGH COURT OF SINDH CIRCUIT COURT MIRPURKHAS

Civil Revision Application No.S-235 of 2025

Applicant: Hazoor Bux S/o Ali Nawaz,
Through Mr. Muhammad Nisar, Advocate.

Respondents: Wasoo Khan 10 others.

Date of Hearing: 08.04.2026.

Date of Order: 08.04.2026.

ORDER

Muhammad Jaffer Raza, J. Through the instant Civil Revision Application, the applicant has impugned the judgment and decree dated 12.05.2025 passed in Civil Appeal No. 28/2025 by the learned Additional District Judge-II, Sanghar. The above-noted civil appeal emanated from the Order dated 10.02.2025 passed by the learned Senior Civil Judge-I, Sanghar in F.C Suit No.09/2025, in which the application preferred by respondent No.1 was allowed and the plaint filed by the present applicant was rejected.

2. Learned counsel for the applicant argued that both the concurrent findings of the courts below are erroneous and did not pay consideration to the fact that no survey number was mentioned in the decree which was passed earlier.

3. I have perused the record with the assistance of learned counsel for the applicant.

4. It is apparent from the perusal of the record that earlier F.C Suit No 04/2009 was preferred by respondent No.1 for specific performance. The above-mentioned suit was decreed in favour of respondent No.1 vide judgment dated 26.11.2013, and the present applicant preferred Civil Appeal No.81/2013 challenging the above-noted judgment, and the said appeal was also dismissed. Subsequently, the present applicant preferred Civil R.A No.76/2018, which was again dismissed vide judgment dated 29.11.2021; therefore, the earlier judgment and decree dated 26.11.2013 attained finality. Subsequently, execution proceedings

were preferred by respondent No.1, and the Nazir of the executing court executed the sale deed in favour of respondent No.1, which was subsequently challenged through Suit No.09/2025, the plaint of which was rejected through concurrent findings of the courts below. I have perused the judgment of this Court passed in Civil R.A No.76/2018, in which it is apparent that similar objections regarding the survey number were raised by the present applicant, as reflected in para No.8 of the said judgment. The present applicant has challenged the sale deed which was executed in compliance with the judgment and decree of the civil court, and the same has attained finality.

5. In the circumstances, the instant Civil Revision Application merits no consideration and is **dismissed** in *limine* along with pending application(s).

JUDGE

Faisal