

ORDER SHEET  
**IN THE HIGH COURT OF SINDH,**  
CIRCUIT COURT, HYDERABAD.

R.A.No. 58 of 2026

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<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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1. For orders on office objections.
2. For orders on CMA 795/2026.
3. For hearing of main case.

20.04.2026.

None present for applicant. No intimation is received. This Revision impugns an order dated 20.01.2026 passed by the learned 7<sup>th</sup> Additional District Judge Hyderabad in Summary Suit No.226/2025 granting conditional leave to defend application to the applicant/defendant Faisal Malik. The impugned order has clearly identified triable issues, which merit grant of leave. Additionally, I have perused the order and do not find any arbitrariness that would call for interference in this leave to defend granting order as to imposing conditions on such leave. Indeed, this is not the stage in the summary proceedings to minutely and microscopically examine whether such leave should have been either conditional or unconditional. This is a discretionary matter and to this extent mandating that the applicant-defendant should submit a solvent surety is keeping within the discretionary powers of the Court that have been exercised within the statutory framework of Order 37 C.P.C and case law in the present case. I do not find any illegality or legal infirmity in the impugned order. Even otherwise, the applicant/defendant retains the right to defend the proceedings after the conditional leave granting order. Accordingly this Civil Revision Application is dismissed in limine in the above terms along with listed application.

JUDGE