

ORDER SHEET
HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD
Civil Revision Application No.152 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on C.M.A No.983/2026 (U/A)
2. For orders of C.M.A No.984/2026 (Stay)

16.04.2026

Mr.Muhammad Arshad S. Pathan, Advocate for applicant

1. Granted.
2. This C.M.A. No. 984 of 2026 is identical to C.M.A. No. 2487 of 2024. The prayer clause is entirely the same. At the time of institution of this revision, the applicant had already filed application C.M.A No.2487/2024 and as of today no interim order had been passed in relation thereto. Learned counsel contends that there has been a change in circumstances, supported by photographs of an open plot of land. Be that as it may, the pendency of two applications in respect of the same *lis*, particularly when no interim order is/was in operation since the institution of this revision till present and with no articulation in the supporting affidavit of C.M.A No.984/2026 as to what new situation has arisen is likely to cause complications and tantamount to multiplicity of proceedings. There is nothing available on record that may be of aid to this bench to ascertain what change has taken place in 2026 to call for filing the same application as in 2024, once again praying for the same relief. Indeed, when the revision came up for hearing last on 21.01.2026, none had appeared since October, 2024 on behalf of the present applicant. Whereas the respondents have been in attendance on the last two dates of hearing. Counsel has not been able to articulate when (the date and/or time) the urgency for stay arose this year (2026) when applicant did not even attend the last hearing date in January, 2026. In the facts and circumstances in order to preserve the present status-quo between the parties i.e there is no status-quo order in force upto date and no case is made out today without hearing C.M.A No.2487/2024 which is yet to heard and relying on 1997 SCMR 1508 and 2020 SCMR 2119, to avoid creating a new situation, the second C.M.A for

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stay, i.e 984/2026 is found to be frivolous and **dismissed** in the above terms. The applicant may refer to the contents of the affidavit filed with the present application as and when the earlier in time C.M.A. No. 2487 of 2024 is heard and decided subject to the right of rebuttal of the respondents.

To come up on **07.05.2026.**

JUDGE

AHSAN K. ABRO