

HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Civil Revision Application No.21 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For hearing of C.M.A No.612/2025
2. For hearing of main case

20.04.2026

None present for applicant. No intimation is received. This Revision impugns an order dated 09.01.2025 passed by the learned V-Additional District Judge, Hyderabad in Summary Suit No. 103 of 2024, granting conditional leave to defend application to the applicant/defendant Abdul Waseem Chandio. 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 and case law. 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 the listed application.

JUDGE