

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
C. P. No. S-378 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection "A".
2. For orders on M.A. No. 831/2025 (E/A).
3. For orders on M.A. No. 832/2025 (S/A).
4. For hearing of main case.

23.10.2026

Mr. Faiz Muhammad Larik, Advocate for the Petitioner.

Through the instant Constitutional Petition, the petitioner has called in question the order dated 15.09.2025, passed by the learned Additional District Judge-II, Shahdadtown ('the revisional court') in Civil Revision Application No.19/2025, as well as the order dated 02.06.2025, passed by the learned Senior Civil Judge, Shahdadtown ('the executing court') in Civil Execution Application No.03/2023 arising out of F.C. Suit No.33/2014. By the latter, the execution application of respondent No.4 for enforcement of the judgment and decree dated 29.08.2017 ('the decree'), passed in a suit for possession, mesne profits and permanent injunction, was allowed, and by the former the petitioner's revision against it was dismissed.

Learned counsel for the petitioner has argued that the property is not properly described in the decree and that the execution is time-barred.

I have heard learned counsel for the petitioner and perused the material on record. The question of limitation was addressed by the executing court in paragraph 5 of its order, while the objection regarding the description of the property was dealt with by the revisional court in paragraph 7 of its order. The petitioner assailed the decree in appeal, which was dismissed and the decree attained finality. The executing court could not go behind it, and the contention that the survey number in question does not belong to the decree holder is an objection to the decree itself, which cannot be raised at the execution stage. Within the ambit of Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973, I do not find any illegality, irregularity or jurisdictional defect in the impugned orders warranting interference by this Court.

It is noted from the order of the executing court that the petitioner also preferred a revision against the judgment and decree of the appellate court, in which no stay was granted. If that revision is pending, the petitioner is at liberty to pursue it before the competent forum, and nothing observed in this order shall prejudice his case there.

Accordingly, the instant Constitutional Petition is **dismissed** in *limine*, along with the listed application (s).

Judge

Manzoor