

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. No. D-4047 of 2020

Date	Order with signature of Judge
------	-------------------------------

For orders as to maintainability of Petition.

06.09.2021.

Mr. Anwar Kamal, Advocate for the Petitioner.

The backdrop to this Petition is that the Petitioner had filed a Suit bearing No.20/2006 before the Court of IIIrd Senior Civil Judge, Karachi (West), which was dismissed for non-prosecution on 30.03.2013. An Application under Order IX Rule 9 CPC was then filed seeking its restoration, which was apparently not properly pursued and was dismissed on 02.09.2019 alongwith the Application under Section 148 CPC seeking condonation of delay and extension of time for issuing the notice on the restoration application. The Petitioner then challenged that Order through Revision Application No.87/2019 before the learned IXth Additional District Judge, Karachi, West which too was dismissed on 17.02.2020 as the Court found that there was no proper justification put forward for the indolence shown by the Petitioner and the Revision was even otherwise not maintainable in view of the fact that the Order made on the Applications under Order IX Rule 9 CPC was appealable under Order 43 Rule 1 CPC. On query posed, learned counsel for the Petitioner was at a loss to point out any illegality or infirmity in the Order passed by the Revision Court.

Under the given circumstances, it is manifest that the Petition is devoid of merit, and stands dismissed accordingly.

CHIEF JUSTICE

JUDGE