

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH KARACHI**

**Civil Revision Application No. 64 of 2024**

| DATE | ORDER WITH SIGNATURE OF JUDGES |
|------|--------------------------------|
|------|--------------------------------|

Priority

1. For orders on office objection as at 'A'.
2. For hearing of CMA No.8619/2024.
3. For hearing of main case.

**23.04.2025**

Mr. Nisar Ahmed, Advocate for the Applicant.  
.....

Vide the instant Civil Revision Application, learned counsel for the Applicant has impugned the order dated 11.03.2024 passed in Summary Suit No.85/2023. Learned counsel for the Applicant has stated that the Summary Suit mentioned above was filed by the Respondent against him wherein he filed an application for leave to defend under Order XXXVII Rule 3 CPC. He has further stated that the leave to defend application was allowed and he is not aggrieved with the impugned order in this respect, however, he has stated that the Applicant is aggrieved with the grant of application conditionally by imposing the amount as mentioned in the last paragraph of the impugned order. According to learned counsel the application ought to have been allowed unconditionally. Learned counsel has argued that the cheques in question were stolen from the Applicant by the Respondent therefore there is no question of depositing the amount of the surety as stipulated in the impugned order.

I have heard learned counsel for the Applicant and perused the record. The impugned order is speaking and well-reasoned. However the amount of surety given the circumstances of the present case is exorbitant. In light of the above the Impugned Order is modified to the extent that the Applicant shall furnish solvent surety in the sum of Rs.1,000,000/- (Rupees One million only) within thirty (30) days from today. In the alternate the Applicant may submit original documents of

any immovable/movable property valued over Rs.1,000,000/- (Rupees One million only) which may be accepted as surety after proper verification. Thereafter the matter shall proceed further in accordance with law.

The instant Civil Revision Application along with pending application stands disposed of in the above terms.

JUDGE

Nadeem Qureshi "PA"