

**ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT MIRPURKHAS**

Civil Revision Application No.S-20 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on M.A No.138/2025.
2. For orders on office objection.
3. For orders on M.A No.139/2025.
4. For orders on M.A No.140/2025.
5. For hearing of main case.

17.03.2025

Mr. Jaidev S. Sharma, advocate for the Applicant.

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1. Urgency granted.

2 to 5. It is contended by the counsel for the Applicant that vide order dated 14.01.2025 passed by the learned Additional District Judge-II, Umerkot, the leave to defend application filed by the Respondent was allowed, and he was directed to deposit the surety amount in the sum of Rs.72,00,000/- within 10 days. He further contended that after the expiry of the stipulated period, the Respondent filed an application under Section 148 C.P.C for an extension of time, and the trial court extended the time for one day. Counsel further states that the extension granted vide impugned order dated 27.02.2025 is illegal and without lawful authority and that the trial court is bound by the initial order dated 14.01.2025.

Heard the counsel for the Applicant and perused the record. It seems that the interest of the Applicant has been preserved by the trial court through impugned order by putting restriction upon Respondent to deposit security amount, which is, obviously, subject to the establishment of the claim before the trial court. It is the prerogative of the trial court to grant or extend reasonable time period. I do not find any illegality in the impugned order for extending one day time period on the proper request of Respondent enabling him to deposit amount of security. Since, the security amount has already been deposited with the trial court, and it is settled law of the Superior Courts that matters must be tried on merits rather than on technicalities, therefore, the instant Civil Revision Application stands dismissed *in limine* alongwith listed applications.

JUDGE

Faisal