

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

**Revision Application No. 197 of 2024**

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objection as at Flag “A.”
2. For hearing of CMA No.11124/2024.
3. For hearing of Main Case.

**11.08.2025**

Mr. Fida Hussain, Advocate for the Applicant.  
Mr. Sarfaraz Ali, Advocate for Respondent No.9.

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Learned counsel for the Applicant submits that vide impugned order 16.11.2024, Appeal No.38/2022 was dismissed by the Court of learned District Judge Malir Karachi. Learned counsel for the Applicant submits that he wants to withdraw the instant Revision Application and seeks permission to file a fresh Suit. Learned counsel for the Respondent No.9 has vehemently opposed the contentions of the learned counsel for the Applicant and states that they have already been dragged through litigation, and that this matter has been settled and the Applicant cannot under law be allowed to file a fresh Suit. In support of their submissions, learned counsels have referred citations being (2021 SCMR 1775, PLD 2022 Supreme Court 716, 1991 MLD 859) respectively.

2. After hearing the learned counsel and perusing the file, I find that the instant Civil Revision Application is without merit, and I have not found any infirmity in the impugned judgment. Furthermore, the contentions of the Applicant that he has previously filed suit for damages but now wants to file suit for specific performance, but needless the same should be condoned by this Court and I find to be untenable. Accordingly, instant Civil Revision Application is dismissed. However, this shall not bar the Applicant from seeking any further remedy, which may be available to him under the law.

**JUDGE**

M. Khan