

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI

R.A. No.89 of 2010

Date Order with signature of Judge

For hearing of Review appln. No.5/2005

11.5.2016

Syed Allay Maqbool Rizvi, A.A.G.

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Applicant No.4 has filed this application to review the order dated **21.4.2015**. No ground of review has been made out in the affidavit filed in support of listed application. The only ground taken in para-5 of the affidavit is as follows:

That I say this Hon'ble Court decide the matter on the point of limitation without going into the merits of the case and without giving an opportunity to the applicant to plead.

The aforesaid ground does not refer to any error on the face of record; such proposition can only be considered in appeal, if party is aggrieved. This kind of ground if considered in review then court after passing an order would automatically become an appellate court against its own order. This was not the intention of the legislature while introducing the provision of review in Civil Procedure Code.

In view of the above, this application is dismissed.

Judge