

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
Civil R.A No.138 of 2013

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Date                      Order with signature(s) of Judge(s)  
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1. For orders on CMA No.6752/2013 (Limitation)
  2. For orders on CMA No.6753/20143 (Exempt)
  3. For hearing of Main Case
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17.12.2015.

Mr. Naeem Suleman, advocate for the Applicant.  
Syed Masroor Alvi, advocate for Respondent No1.  
Ch. Muhammad Farooq, advocate for NADRA.

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Without going into merit of this case precise objection of Board of Secondary Education, (BSE) Karachi is that applicant has filed civil suit without approaching Board of Secondary Education, therefore, there was no cause of action against the Board. I have gone through the file, irrespective of objection raised by the counsel, the documents clearly indicate that the Date of Birth of two brothers that is the applicant and his elder brother namely Ilyas shows five months difference, which is obviously a result of mistaken entry in record of BSE. Such mistake in the date of birth is possible in the case of younger one and not in the case of the elder one. Date of birth of elder brother of applicant, namely Muhammad Ilyas is **14.8.1991** and the Date of birth of the applicant mentioned in the metric certificate is January 1992. Apparently there is no justification to disbelieve the applicant that he was not born on **13.1.1992**. Be that at it may, since there are legal and factual lacuna in the proceeding of the two Courts below which call for interference. Both the orders are set aside. However by consent of all present, it is ordered, that applicant will approach Board of Secondary Education, appraising them about the proper facts through an application and the Board of Secondary Education will decide their application in accordance with law within 30 days from the date of receiving the application.

With the above observations, this Civil Revision Application is disposed of.

JUDGE

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
R.A No.64 of 2015

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Date                      Order with signature(s) of Judge(s)  
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1. For hearing of Main Case.
2. For hearing of CMA No.5485/2015 (stay)

17.12.2015.

Applicant No.2 present in person.  
Mr. Muhammad Haris, advocate holding brief for  
Mr. Muhammad Aqil, advocate for the Respondent.

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Learned counsel for the respondent is reported to be unwell. However, in any case if counsel for the respondent will not be medically fit on any ground of illness to proceed with the matter on the next date of hearing, respondent shall make alternate arrangement. Matter is being adjourned with a note of caution that matter will not be adjourned on any ground.

JUDGE

SM



**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
CP No.S-521 of 2013

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Date                      Order with signature(s) of Judge(s)  
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1. For hearing of CMA No.861/2014 (Fast Track)
  2. For hearing of CMA No.2640/2013 (stay)
  3. For hearing of Main Case
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09.12.2015.

None present.

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On the last two consecutive dates none was present on behalf of the petitioner. As a matter of last chance, adjourned to a date in office with a note of caution that if on the next date none appears for the petitioner this petition would be dismissed for non-prosecution.

JUDGE

SM