

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

**R.A No.40 of 2002**

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Date

Order with signature of Judge  
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For hearing of main case

**14.04.2016**

None present.

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This revision is pending since 2002, learned counsel for the applicant Mr. Ghulam Raza M. Khokhar, hardly appears in this case. On 07.3.2016 Mr. Qamar Raza, advocate was holding brief for him and case was adjourned to 08.3.2016 at 11:00 a.m. however, the case was taken up on 22.3.2016 when first time Mr. Ghulam Raza M. Khokhar, advocate appeared for the applicant. After hearing him at length he was directed to satisfy the court that how and when he was in possession before obtaining lease from the Katchi Abadi in respect of the suit property. This question seems to have been enough to hold the concurrent findings of trial court against him as maintainable and the appellate court has rightly dismissed the appeal filed against the decree in favour of respondent No.1 passed in his suit **No.326/1997** by the court of 1<sup>st</sup> Sr. Civil Judge, (West) Karachi.

For the last 14 years concurrent findings are in the field and without assigning any reason counsel has not appeared. On **22.3.2016** he was directed to satisfy the Court, on **06.4.2016** he sought time to satisfy the court, thereafter, on **13.4.2016** he remained absent and again one Mr.Qamar Raza, held brief.

Today neither his associate nor Mr. Ghulam Raza or his client is in attendance. Cases cannot be adjourned like this without assigning any reason when concurrent finding of facts are in field. However, in the interest of justice and subject to cost of **Rs.10,000/-** this revision is adjourned for 10 days on the condition that if cost imposed is not paid **this revision should be treated as dismissed** for non-compliance of court orders. Office is directed to consign the file to record as dismissed after 10 days and in case cost is not paid this revision should not be listed in court ever even after completion of roster before any other bench as this is part heard since **22.3.2016**. Copy of this order may be sent to the counsel for the applicant through bailiff.

JUDGE

SM