

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD

R.A. No.42 of 2010

DATE

ORDER WITH SIGNATURE OF JUDGE

1. For Katcha Peshi.
2. For hearing of C.M.A 139/2015

30.03.2018.

Mr. Wali Muhammad Jamari, Assistant A.G.

Syed Ali Anwar Shah, Advocate for respondents Nos.4 to 7.

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Counsel for respondents Nos.4 to 7 files amended title, taken on record.

None present for the applicants, which was the case on the last date of hearing also. Counsel for the applicant was also not present on 19.02.2018 and brief was held for him on 29.03.2017. The said counsel was directed to file certain statements vide order dated 08.11.2016, which so far has not been complied with either. The counsel sought adjournment on 06.08.2015 and on 21.05.2015, a brief was held for him also. On 09.04.2015 said counsel sought time and was absent on 09.03.2015.

The instant revision has been filed against the judgment of the appellate Court passed in Civil Appeal No.53 of 2000 on 16.01.2010. On

24.03.2010, this Court restrained the respondents from interfering into peaceful possession of the suit land till next date of hearing.

Learned counsel for the respondents submits that the said order was passed without hearing point of view of the respondents and the judgment of the appellate Court is based on sounds footings and is not hit by Order 41 Rule 31 C.P.C. as alleged on 18.03.2010, by the counsel for the applicants.

Be that as it may, it obvious that the having obtained the exparte interim relief, the applicants have lost interest and despite giving number of opportunities, no effective appearances are made for the applicants. By adjourning this matter to 27.04.2018 with note of caution to the counsel for the applicants to be present on the next date of hearing and ready to proceed with the matter, restraining orders dated 24.03.2010 are hereby recalled.

JUDGE

Asif.I.Khan