

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

C.P.No.S-509 of 2009.

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DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on M.A-1449 of 2018.
2. For orders on M.A-1450 of 2018.

02.04.2018.

Mr. Ashfaque Nabi Qazi, Advocate for the petitioner.

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1. Urgent application granted.
2. By this application counsel for the petitioner seeks restoration of the main petition, which vide order dated 02.11.2017 was dismissed for non-prosecution. These proceedings are pending since 2009 and a review of the case diaries shows that petitioner has not taken any interest to pursue the same since long.

On 06.10.2017, these matters were adjourned to 02.11.2017 with a caution that in case the petitioner and his counsel don't appear these petitions will be dismissed for non-prosecution. Thereafter, on 02.11.2017 when the instant petitions were placed before the Court the, counsel for the petitioner appeared and stated that Mr. Raja Jawad Ali Sahar Advocate has superseded him, whereupon in utter despair the matter was dismissed for non-prosecution.

Now the listed application is filed for restoration of the petitions. Apparently, no cogent reasons are on surface to over-ride the earlier orders of this Court, where these petitions challenging judgments passed in family suits were dismissed.

A review of the diary sheets shows that this Court has fixed these matters on a number of times upon the request of the learned counsel for the petitioners to make himself available to proceed with the same on 21.05.2010, 06.09.2010, 11.02.2013, 12.09.2013, 23.12.2013 and 12.01.2016 which was not done, thus it was not that particular date (ie 02.11.2017), rather the cumulative effect of the non-appearance routine of the petitioner's counsel which compelled this Court to eventually put this case to long awaited rest. The application being repugnant is accordingly dismissed.

JUDGE