

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
R.A No.188 of 2013

Date	Order with signature of Judge
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1. For hearing of CMA No.6352/2013
2. For hearing of Main case

24.01.2019

Mr. Ziauddin Junejo, A.A.G.

This is the hallmark of the Province of Sindh that their Prosecutor right from the lowest Court in Sindh to the High Court do not appear in cases before any Court unless damage is done. This revision application was filed in **2013** against the order dated **25.8.2012** almost on the last day of limitation and since then no efforts has been made except taking dates. The order impugned before this Court was an order on application under **Order 41 Rue 11(2)(1) CPC** for setting aside the order of dismissal of appeal dated **11.8.2010**. Even from **26.1.2010** to **11.8.2010** when appeal was dismissed the appellant has not paid "**COST FOR SERVICE**". The government remained silent after dismissal of the appeal from **2010** to **2012** when they filed an application for recalling the order dated **11.8.2010** and the learned appellate Court has dismissed such an application on merits for failing to approach the Court for restoration of the appeal within time. After five years even if a date be given to the appellant on the ground that learned counsel to whom this case was assigned is busy before some other bench and Mr. Junejo needs time to come well prepared, the excuse not to approach the appellate Court for almost two years after dismissal of appeal cannot become justifiable even today. Therefore this revision was just an eye washed to protect the different government functionary responsible for the loss to government. The instant appeal is dismissed.

JUDGE