

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH AT KARACHI**  
**C.P. No.D-7664 of 2017**

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Order with signature of Judge

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Present: **Mohammad Ali Mazhar** and **Agha Faisal, JJ.**

*For orders as to non-prosecution*

25.03.2019

None present for the petitioner.

**Mohammad Ali Mazhar J.**, The record reflects that vide order dated 09.07.2015 in Civil Suit No.1005 of 2013 passed by IVth Senior Civil Judge, Karachi South the petitioner was ordered to be proceeded ex-parte and debarred from filing amended written statement. The petitioner filed an application for recalling the order dated 09.07.2015 before the same Court, which was dismissed vide order dated 09.11.2015 and thereafter the petitioner filed Civil Revision Application No.98 of 2015 seeking setting aside the order dated 09.11.2015. One order dated 30.05.2017 in Civil Revision Application No.98 of 2015 is also available on record which shows that Suit No.1005 of 2013 was decreed on 29.08.2016, therefore, the learned XIth Additional District Judge, Karachi South has passed the order that the revision application has become infructuous. This petition was presented on 09.11.2017 and vide order dated 23.11.2017 the learned Divisional Bench of this Court put on notice to the counsel for the petitioner to satisfy this Court with regard to latches but nobody is present for the petitioner. The judgment and decree could be challenged in appeal which has not been done. So far as challenge to other orders is concerned this petition is hit by latches. The petition is dismissed.

**J U D G E**

**J U D G E**

