

**ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI**

C.P. No.D-2374 of 2015

Date	Order with signature of Judge(s)
------	----------------------------------

Present:

Mr. Justice Muhammad Ali Mazhar
Mr. Justice Agha Faisal

Rana Muhammad Ayoob.....Petitioner

Versus

Abdul Razaq & Others.....Respondents

1. For orders on CMA No.10327/2015.
2. For hearing of main case.

09.08.2019

Mr. Zafar Iqbal, advocate for the petitioner.

Muhammad Ali Mazhar, J.: This petition is pending since March, 2015. Lastly it was fixed on 07.09.2015 and due to request made by the learned counsel for the petitioner the matter was adjourned. In the meanwhile, some developments have been made and according to the learned counsel for the petitioner, Suit No.351 of 2007 filed by the same petitioner has already been dismissed by the learned Civil Judge Malir Karachi and against dismissal order the petitioner has filed an appeal before the District Judge Malir, Karachi which is pending.

We have also gone through the paragraph 4 of the impugned order passed by the IInd Additional District Judge Malir Karachi in Civil Revision Application No.06 of 2014 which also reflects that at the time when the civil revision was dismissed the court observed that most of the proceedings have been completed and the matter was fixed only for cross examination of defendant No.4, 5 and 6,

therefore, he considered it fit that the applicant may pursue the main case. Since the suit has been dismissed and appeal is pending, therefore, the petitioner may raise all the grounds available to him before the District Judge in appeal which is continuation of original proceedings. The learned counsel for the petitioner is also of the same view. Petition is disposed of accordingly.

JUDGE

JUDGE

