

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Crl. Rev. A. No.S-58 of 2018.

Habibullah.Applicant.

Versus.

The State.Respondents.

Mr. Rana Rahail Mehmood Rajput, Advocate for the applicant.

Ms. Sobia Bhatti, A.P.G.

Date of hearing and order: 28.06.2018.

ORDER

IRSHAD ALI SHAH, J. The facts in brief necessary for disposal of instant criminal revision application are that, an application for excusing the absence of the applicant was filed by his learned counsel before the learned trial Judge on 28.02.2018. It was disposed by the learned trial Judge with a marginal order passed thereon to the effect that “**Issue N.B.W.**” Subsequently another application was also filed by the learned counsel for the applicant before learned trial Judge on 15.03.2018 for excusing the absence of the applicant. It was disposed of by the learned trial Judge with a marginal order passed thereon to the effect that “**File**”. The applicant being aggrieved of the above said orders has impugned the same before this Court by way of making the instant criminal revision application.

2. It is contended by learned counsel for the applicant that the impugned orders are liable to be set aside, as same are not containing any reasons.

3. Learned APG was not able to rebut the above argument.

4. I have considered the above said arguments and perused the record.

5. Section 24-A(2) of General Clauses Act provides that; the authority, office or person making any order or issuing direction may give reasons for making such order or direction. By not recording any reason leading to passing of impugned orders, learned trial Court apparently has not complied with the mandate of above said provision of law. The impugned orders being non-speaking could not be sustained, those are set aside.

5. The instant criminal revision application is disposed of accordingly with direction to learned trial Judge to pass the fresh orders containing reasons after due hearing to all the concerned.

JUDGE

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