

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
H.C.A. No.192 of 2020

Date	Order with signature of Judge
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Present

Mr. Justice Muhammad Ali Mazhar
Mr. Justice Arshad Hussain Khan

Khalid Mehmood Yousufi.....Appellant

Versus

Mst. Kulsum Bai.....Respondents

21.10.2020

Mr. M. Waseem Samo, Advocates for the Appellant.

Muhammad Ali Mazhar, J: This High Court Appeal has been preferred against the impugned order dated 14.04.2014 passed by learned single Judge of this court at original side in Suit No.1559/2009 whereby the suit was dismissed being barred by limitation. It is apparent from the certified true copy that the appellant applied for the certified true copy of the impugned order on 13.10.2020 and copy was delivered to him on 15.10.2020. Office has also raised the objection of limitation. The learned counsel for the appellant could not justify as to why the appeal was not presented within time and apparently the impugned order was passed on 14.04.2014 copy of which was applied on 13.10.2020. No condonation application has been filed but the learned counsel argued that the order is void, therefore, no limitation runs against the void order or judgment. We have gone through the impugned order. The suit was dismissed being barred by limitation and the proper remedy was to prefer appeal within the time prescribed under the Limitation Act. The learned counsel could not justify as to why the appellant was prevented not to file the appeal within time. The appeal is hopelessly time barred which is dismissed under Section 3 of the Limitation Act.

Judge

Judge