

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI

**CP No.S-1870 of 2017**

Date	Order with signature of Judge
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1. For orders on CMA No.903/2020 (U/A)
  2. For orders on office objection as at 'A'.
  3. For hearing of CMA No.8312/2017 (stay)
  4. For hearing of main case
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**07.02.2020**

Syed Sabir Ali, advocate, for the petitioner.

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**Nazar Akbar, J.** This constitution petition is directed against the order dated **09.08.2017** whereby Family Appeal **No.54 of 2017** filed by the petitioner was dismissed by the IInd Addl. District Judge, East Karachi and the order dated **26.01.2017** passed in Family Suit **No.3139/2016** by XXXIth Civil and Family Judge, Karachi East was maintained.

2. It is contended by the learned counsel for the petitioner that the impugned orders passed by the two Courts below are illegal, unlawful, unwarranted, flimsy, fanciful, whimsical, capricious as well as bad in law as such is not sustainable and liable to be set aside being null & void ab-initio. He further contended that the impugned orders are based on misreading and non-reading of the evidence as well as facts.

3. The appeal preferred by the petitioner was hopelessly time barred. Learned Appellate Court has comprehensively dealt with the question of limitation and could not find justification for entertaining time barred appeal even in the application for condonation of delay

no justifiable ground was mentioned at all. Therefore, impugned order cannot be interfered by this Court.

4. In view of the above, this petition is dismissed alongwith listed applications.

JUDGE

SM