

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

C.P. No.S-785 of 2020

Muhammad Shakir

Versus

United Bank Limited & others

Date	Order with signature of Judge
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1. For orders on CMA 4107/20
2. For orders on CMA 4108/20
3. For hearing of main case

Dated: 26.03.2021

Mr. Muhammad Ishaq Khan for petitioner.

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Judgment dated 18.02.2021 was impugned by the petitioner in a time barred FRA No.102 of 2020. The statement for placing the certified copy on record was belatedly filed after a delay of almost seven months on the ground that in view of pandemic (Covid-19) he and his counsel could not apply for certified copy. This is not a legitimate excuse as it is “during pandemic time” that such application was filed after a delay of almost seven months. Therefore, this ground is ruled out from consideration that because of pandemic situation he or his counsel could not approach the Court, hence the discretion was rightly not exercised by the appellate Court in favour of petitioner in condoning delay. Petitioner has now filed this petition for reconsidering such factual aspect. The affidavit filed with the application for condonation is on the factual plane and the discretion was exercised by appellate Court while dismissing the application for condonation of delay and consequently the appeal, as it was a negligent attitude of petitioner as well as counsel who did not file application on the day or soon after passing of the judgment of the trial Court. No circular of any nature was attached with application. Consequently the appeal was rightly adjudged to be time barred and the petition is misconceived and is dismissed along with listed applications.

Judge