

ORDER SHEET  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT,  
HYDERABAD.**

**1<sup>st</sup> Appeal No.15 of 1995**

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<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
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For hearing of CMA No.174/1995.  
For hearing of CMA No.175/1995.  
For hearing of main case.

**13-09-2023**

Mr. Rafiq Ahmed Dahri Assistant Advocate General for appellants.  
Mr. Jahanzeb Laghari advocate for the respondents.

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This appeal is barred by five months and sixteen days as explained by the respondent's counsel. An application under Section 5 of the Limitation Act was filed which is supported by an affidavit providing reasons of this delay. In paragraph No.2 it is claimed that prescribed time for filing appeal was consumed in the official process of preparation, sanction and for obtaining certified copies of impugned judgment and decree. This could be hardly a legitimate ground for condoning the delay. The appellant is considered as a litigant and at par with any other litigant who may come to Court. The officials would face the same consequences as faced by other litigants. They are under obligation to process it within the time prescribed by law and they should not be given this premium privilege of being official appellant. Since no legitimate reasons have been provided in the affidavit in support of application. The application for condoning delay under Section 5 of the Limitation Act is dismissed and hence, this appeal being time barred is also dismissed.

**JUDGE**

**JUDGE**

Irfan Ali