

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI
CTA No. 59 of 2023

Date	Order with signature of Judge
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1. For order on CMA No.2192/2024
2. For order on CMA No.2193/2024

26.02.2024

Mr. Khawaja Shams ul Islam, Advocate for the applicant.
Mr. Fahad Ali Hashmi, Advocate for the respondent No.2

1. Urgency granted.
2. This is a review application. Learned Counsel seeks review of order dated 19.02.2024 which reads as follows:-

“Objections have been filed against the comments filed by the learned Family Judge. It appears that counsel for the applicant is trying to put the Family Judge in the Court room rather than having the matter decided on merits. Who would answer these objections is a question unknown to this Court whether learned Family Judge should answer or learned counsel for the respondent No.2. Fact is that time and again conduct of Mr. Imtiaz Ali Shah, Advocate is shown to be improper which is even loudly heard in this Court. It appears that counsel has personal interest in the matter. In the circumstances, either Mr. Khawaja Shams ul Islam, Advocate to assign this matter to another counsel or plead it himself. Court before whom matter is pending to proceed forthwith and pass speaking order in accordance with law preferably within thirty days. Instant C.T.A. is dismissed alongwith pending application with the cost of Rs.30,000/- to be paid by the counsel for the applicant before the Sindh High Court Clinic.”

The present application seeks a review of the dismissal order and it is clear that the jurisdiction of this Court in review proceedings is limited to the ambit of Section 114 read with Order 47 CPC. The

entire thrust of the arguments advanced by the counsel was directed towards merits of an already dismissed case and there was absolutely no effort to identify any mistake or error apparent on the face of the record or any other sufficient reason justifying a review of the Order.

This Court has duly appraised the contents of the present application and the arguments advanced by the counsel and is of the considered opinion that no grounds for review have been made out. The applicant has not demonstrated the discovery of any new and important matter which could not have been addressed earlier; has failed to identify any mistake apparent on the face of record; and finally no reason has been advanced to justify the review of the Order. It is thus the considered view of this Court that this application is devoid of merit, hence, the same is hereby dismissed in *limine*.

JUDGE

Aadil Arab