

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Civil Revision No.S- 86 of 2010

Civil Revision No.S- 87 of 2010

Date of hearing	Order with signature of Judge
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Appl. In disposed of case

- 1.For orders on CMA 1420/22
- 2.For hearing of CMA 321/20
- 3.For hearing of CMA 322/20

06-09-2024

Mr. Tariq Gul Hanif Mangi, Advocate for applicants in both matters.

1. Notice.

2 & 3. None present for the respondents. Learned counsel for applicants submits that these Revision Applications were dismissed on account of non-prosecution on 17.03.2014, where after these applications were filed. Counsel submits that as to the challenge of limitation, these restoration applications are time barred by nine days. Counsel placed reliance on the case of Mst. Jameela Bibi (Deceased v. Mst. Fatima Bibi (Deceased) (2023 SCMR 485), where such limitation period has been held to be three years. Counsel states that valuable rights of the applicants are at stake as per dictum laid down by the Hon'ble Supreme Court that matters are to be decided on merits; however, they have been dismissed for non-prosecution.

In these circumstances when despite notice none has appeared on behalf of the respondents and no objection having been filed in the last four years, these applications are allowed and the matters are restored to their original position when they were dismissed for non-prosecution. Let notices be served upon respondents for the next date of hearing. Adjourned to **07.10.2024** to be taken up along with Civil Revision No.S-140 of 2024. ***Office to place a signed copy of this order in captioned connected matter.***

J U D G E