

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

Civil Revision No.S – 115 of 2014

Date of hearing	Order with signature of Judge
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Hearing of case

- 1.For non-prosecution of CMA 591/14
- 2.For hearing of CMA 66/15
- 3.For hearing of main case.
- 4.For hearing of CMA 592/14

02-09-2024

M/s A.R Faruq Pirzada, Ghulam Hyder Daudpoto and Faraz Khan,
Advocates for applicants.

Mr. Sarfraz Ahmed Akhund, Advocate for respondent No.1.

Mr. Asfandyar Kharal, Assistant A.G-Sindh.

ORDER

Zulfiqar Ahmad Khan J.- After hearing learned counsel at some reasonable length, where it has come on surface that an application filed under Order 41 Rule 27 CPC read with section 151 CPC (page-533) dated 20.02.2014, was pending before the appellate Court for adducing additional evidence in the shape of certain documents which are listed with the said application. However, said application was neither heard nor decided rather the Civil Appeal filed by applicant (plaintiff) was dismissed by the appellate Court vide judgment dated 09.08.2014, when none of the counsel was present before the appellate Court.

Therefore, with consent, the matter is remanded back to the appellate Court to consider the said application filed before it in accordance with law and pass a fresh judgment and decree in the light of evidence being brought before the Court and after hearing the parties. For these reasons, the judgment and decree of the appellate Court are set aside and the matter is remanded to the appellate Court. Let R&Ps be returned.

J U D G E