

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Civil Revision Application No.91 of 2022

DATE: ORDER WITH SIGNATURE(S) OF JUDGE(S).

Fresh case

1. For orders on CMA No.1384/2024 [U/A]
2. For orders on office objection
3. For orders on CMA No.4522/2022
4. For hearing of Main Case
5. For orders on CMA No.4523/2022

31.01.2024.

Mr. Tarique Mehmood, Advocate for the Applicant.

1. Urgency is granted.

This revision is filed against Judgment and Decree passed in favour of Respondent No.1 in a Suit for Specific Performance, which has been set aside by learned Appellate Court and the matter is remanded directing learned Trial Court to re-write the Judgment issue-wise [as required under Rule 5, Order 20 of CPC].

Learned counsel for the Applicant states that being seller of the property, Applicant did not get the advance payments. All these contentions and Issues will be considered by the learned Trial Court while handing down the Judgment.

Judgment of the learned Trial Court is perused; it does not evaluate the evidence as required, besides, mentioning repetitively same reasons for dismissal of Suit and reproducing the headnotes of case law. It is noteworthy, that headnotes of the case law should not be referred, but the operative part of the cited Judgment.

Since, there is no illegality in the Appellate Court's Judgment; hence, no interference is required, therefore, this Revision Application is dismissed along with all pending applications, with no order as to costs. Learned Trial Court should while considering the above observation, pronounce the Judgment expeditiously.

Judge