

IN THE HIGH COURT OF SINDH KARACHI

Present:

Mr. Justice Adnan Iqbal Chaudhry

Mr. Justice Abdul Mobeen Lakho

C.P. No. D-1101 of 2023

[Imran Ali Sikander versus IXth Addl. District Judge (East) Karachi & others]

Petitioner : Imran Ali Sikander son of Sikander
Ali Shaikh through Mr. Sikandar Ali
Shaikh, Advocate.

Date of hearing : 30-10-2024

Date of decision : 30-10-2024

ORDER

Adnan Iqbal Chaudhry J. - The Petitioner as the Plaintiff of the underlying suit, has called in question order dated 19.11.2022 passed on the Petitioner's Civil Revision No. 04 of 2021. The subject matter of the revision were three applications decided by the trial Court by separate orders dated 31.08.2022. The first application was by the Respondent No.2 for an inspection under Order XVIII Rule 18 CPC. That application was dismissed as withdrawn. The second application was by the Petitioner under section 30 CPC, seeking production of certain record from the Respondent No.2 relating to electricity meter installed at the Petitioner's premises. Though that application was dismissed by the trial Court, it has been allowed by the revisional Court. The third application was again by the Petitioner under section 94(e) CPC, seeking a mandatory injunction to re-install the electricity meter that had been substituted by the Respondent No.2 to the Petitioner's prejudice. That application was dismissed both by the trial Court and the revisional Court.

As regards the withdrawal of the inspection application moved by the Respondent No.2, we do not see how the Petitioner can object to that.

As regards the dismissal of the Petitioner's application for re-installing the previous electricity meter, the reason for dismissal assigned by the learned revisional Court is that the Petitioner was unable to demonstrate *prima facie* that the electricity meter installed at his premises had ever been changed. Learned counsel has not been able to show that such finding is a mis-reading or non-reading of the record.

In view of the foregoing, the petition has no merit and is therefore dismissed.

JUDGE

JUDGE

*PA/SADAM