

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

R.A No.257 of 2024

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1. For orders on CMA No.3221/2024
 2. For orders on office objection(s)
 3. For orders on CMA No.3222/2024
 4. For orders on CMA No.3223/2024
 5. For hearing of main case

13.11.2024

Mr. Farhad Ali Abro, advocate for applicant

ORDER

1. Granted.

2to5. This revision application has been preferred so as to impugn the judgment passed on 24.07.2023 by the learned VIIth Additional District Judge Hyderabad in Civil Appeal No.339 of 2022. Whilst the Memo of the Revision Application was presented as belatedly as 01.10.2024 a Miscellaneous Application (viz C.M.A No.3223/2024) has been filed seeking condonation of the delay. However, a perusal of that application shows that the same to be bereft of any explanation whatsoever. It has also been observed that the Court fee was then submitted even later, on 17.10.2024, that too without filing any application under Section 149 CPC. Learned counsel sought to cover up the lack of explanation for the delay by submitting certain medical certificates dated 10.10.2023, 11.11.2023 and 12.02.2023 while arguing that the Applicant had been indisposed. Needless to say, such a plea is conspicuously absent from the pleadings and it also conspicuous that all the three certificates proceed in the same terms and appear stereotyped, while even otherwise purporting to suggest nothing more than bed rest for one month. Even so, the delay of 10 months after the last of those dates still remains unaddressed. Furthermore, it transpires that the Affidavit filed in support of CMA 3221/24 was sworn by the Applicant before the Identity Section on 28.12.2023 whereas the other Affidavits filed in the matter were so sworn on

10.03.2024, all of which completely belies the plea of ill health. Under the circumstances C.M.A No.3223/2024 is dismissed with the result that the Revision Application itself also stands dismissed as being time barred along with the other pending miscellaneous application(s).

JUDGE