

ORDER SHEET
THE HIGH COURT OF SINDH AT KARACHI

Civil Revision Appln No.62 of 2021.

Date: Order with signature(s) of the Judge(s)

Hearing of Case.

For Hearing of Main Case.

07th March, 2022.

Mr. Sarfaraz Ali Metlo advocate for the applicant.
Mr. Talib Ali Memon, A.P.G. Sindh.
Mr. Mohsin Abbas, AAG.

At the outset learned counsel for the applicant has placing reliance of case law reported in PLD 2022 Supreme Court 7, PLD 2021 Supreme Court 752 and PLD 2019 Supreme Court 719 and contends that while passing impugned judgment learned District & Sessions Judge Karachi Central has passed remarks against the Presiding Officer [applicant] and same are without appreciating the evidence and requires to be expunged as the Hon'ble Apex court in various judgments have held that no comments shall be passed against the Presiding Officers, however, on administrative side any action can be taken. Besides, it is matter of record that District Judge is not exercising power under Article 203 of Constitution of Pakistan in revisional jurisdiction.

Under these circumstances impugned judgment is modified to the extent of last para which is that:

"Before parting with the order, I mention here that learned 1st Senior Civil Judge Karachi Central has been counseled in writing to improve her knowledge in law and to apply the proper provision of law when announce the judgment and she would refrain her from passing such slipshod and rough order penalizing the parties who are not at fault. However, parties shall bear their own cost. Let the decree be prepared'.

In view of above, these remarks are hereby expunged and that shall not be considered part of judicial record against the applicant. Instant Civil Revision Application is disposed of in the above terms.

JUDGE