

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD.

R.A.No. 02 of 2023

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on CMA 104/2023.
2. For hearing of main case.

17.12.2025.

Applicant No.1 Muhammad Jameel present in person.
Mr. Wali Muhammad Jamari, Assistant A.G, Sindh.

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A brief background of the revision is that initially five (5) persons namely, (1) Muhammad Jameel, (2) Muhammad Babar, (3) Muhammad Shareef, (4) Mst. Hameeda Begum and (5) Mst. Sitara Begum were impleaded as defendants in F.C. Suit No.213/1990,¹ which was partially decreed against these said five (5) defendants vide judgment and decree dated 28.09.2000,² passed by learned 3rd Senior Civil Judge, Hyderabad. Thereafter, the aggrieved five (05) defendants preferred Civil Appeal No.207/2000 whereas the respondent/plaintiff preferred Civil Appeal No.213/2000. Both appeals were heard and decided on merits by the learned 7th Additional District Judge, Hyderabad culminating in the impugned appellate judgment dated 09.12.2004,³ and appellate decree dated 15.12.2004.⁴

2. The applicant No.1/Muhammad Jameel present in person submits that he has not engaged any counsel and wishes to proceed in this revision himself. He acknowledges that while the appeal was preferred by five (5) appellants against the trial Court's judgment dated 28.09.2000, this revision has been filed by three (3) out of five (5) original appellants/defendants. The three (3) applicants of this revision are Muhammad Jameel, Muhammad

¹ Available on Pages 87 to 113

² Available on Pages 115 to 117

³ Available on Pages 33 to 53

⁴ Available on Pages 55 to 57

Babar and Muhammad Sharif. Furthermore applicant No.1/ Muhammad Jameel concedes that the revision was filed with some delay (about 19 years) on 12.01.2023. This, Muhammad Jameel claims, was because initially he had sent a letter addressed to this (High) Court dated 07.04.2005 seeking justice to be done. However, as he is not literate in law, when there was no response to this letter, and he did not follow up the matter with the Court. When asked to explain each and every day of delay in filing this revision, as vested rights had accrued to the decree holder/respondent No.1, he contended that sometime in 2005, he had also given a power of attorney concerning this matter to an attorney who apparently defrauded the applicants and did not take appropriate (timely) action to defend the rights of the applicants; hence the filing of this revision has been delayed.

3. Heard the applicant in person. Regrettably the revision filed is hopelessly barred by time, by almost nineteen (19) years, and no good cause is made out to explain the delay in filing of the revision. The explanation given by applicant No.1/Muhammad Jameel for the delay does not merit any response being far-fetched and entirely short of reason. In the facts and circumstances of the case, the revision is dismissed alongwith listed application with no order as to costs.

JUDGE

Tufail