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ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA.
Civil Revision No. S- 15 of 2005

Date

Order with signature of Hon'ble Judge

1. For orders on CMA No.25 of 2005.
2. For hearing of CMA No.26 of 2005.
3. For hearing of main case.

26.9.2019.

Mr. Liaquat Ali Shar, Addl. A.G.

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Mr. Muhammad Afzal Jagirani, advocate holding brief for Mr. Mohsin Ali Pathan, advocate for the applicants requests for adjournment on the ground that latter is busy before a Bench of this Court at Sukkur. Record reflects that this matter, which is pending since 2005 without any useful progress, is being adjourned from time to time either at the request made on behalf of learned counsel for the applicant or on account of his absence. On the last date of hearing as well, similar request was made when the following order was passed:

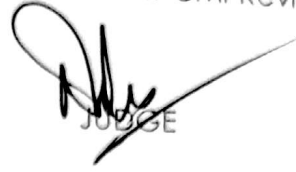
" Mr. Ganesh Kumar, Advocate holding brief on behalf of Mr. Mohsin Ali Pathan, Advocate for the applicants requests for adjournment on the ground that latter is busy before Bench of this Court at Sukkur. Record reflects that similar request was made on the last date of hearing viz. 30.8.2019 when the matter was adjourned with a note of caution that in the event if the counsel for the applicants fails to appear and proceed with matter, appropriate order will be passed. Keeping in view the above position and the request for adjournment made on behalf of learned counsel for the applicants as an indulgence and by way of last chance, this matter is being adjourned with a note of caution that in the event if the counsel for the applicants failed to appear adverse orders which may include dismissal of this revision application for non-prosecution could be passed on the next date of hearing.

To come up on 26.9.2019."

From the conduct of the applicant it appears that the applicant has lost interest in the matter. In this regard, I am fortified by case of Ghulam Qadir and others v. Sh. Abdul Wadood and others (PLD 2016 Supreme Court 712), in which Hon'ble Supreme Court has held as under:

"Revision Court should not be compelled to decide a civil revision on merits in the absence of either party (ies) just because it had been admitted to regular hearing. Court should not be rendered a slave to a person who filed a revision petition and subsequently choose not to appear before the revision court due to disinterest or ignorance/indolence and neither should such person be awarded a premium/privilege in such regard, as this would result in (possible) injustice to the contesting party. "

In view of above, keeping this Civil Revision pending for an indefinite period would serve no useful purpose therefore, instant Civil Revision is dismissed for non-prosecution.



JUDGE