

**THE HIGH COURT OF SINDH AT KARACHI**

Dated 28<sup>th</sup> July, 2025

No.: 919 /MIT-II

From:

Member Inspection Team-II,  
High Court of Sindh, Karachi.

To,

All the learned District and Sessions Judges,  
Province of Sindh.

**SUBJECT: CIVIL PETITION NO. 1054-L of 2014 (SCP, ISLAMABAD).**

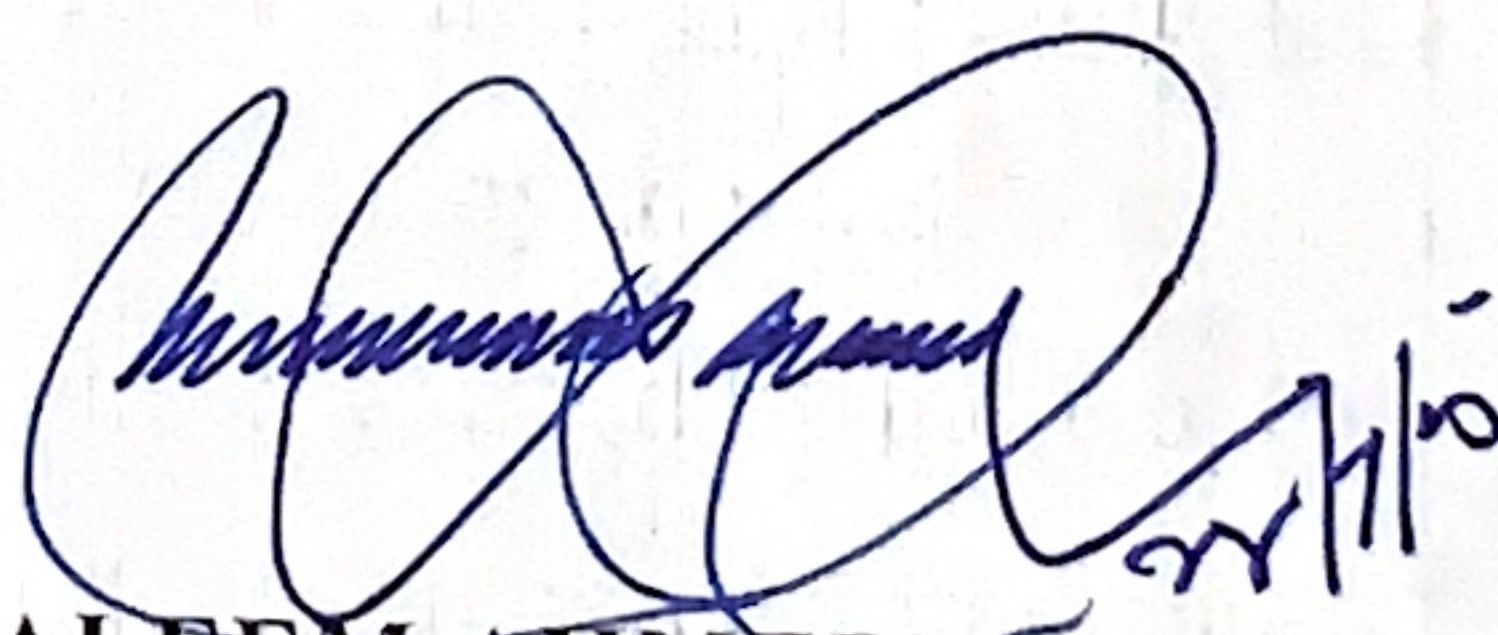
With reference to this office's earlier letter No. 2048 dated 14.12.2024, whereby you were requested to circulate the order dated 11.11.2024, passed by the Hon'ble Supreme Court of Pakistan, Islamabad, in the subject Petition, among all judicial officers in your District. Additionally, you were required to provide a list of all Cases that have been adjourned *sine die* by the Courts in your District(s), specifically in matters where no interim injunction or stay order has been granted by the Hon'ble High Court or any other Superior Court.

Pursuant to the above letter, the requisite reports were submitted to this office. However, upon perusal of the reports received from your District in response to the aforementioned letter, it has been observed that the majority of Courts have submitted lists which include both civil and criminal cases.

Therefore, you are once again requested to submit a **segregated and detailed list of Civil Cases only** that have been adjourned *sine die* by the courts in your District(s), in which no interim injunction or stay order has been granted by the Hon'ble High Court or any other Superior Court. This list should be prepared after careful scrutiny by the concerned judicial officers and submitted in strict conformity with the directions contained in the order of the Hon'ble Supreme Court.

Furthermore, it is requested that in the future, whenever a case is adjourned *sine die*, a copy of the relevant order must be forwarded to this office for scrutiny and record.

Your report should reach this office **within seven (07) days** from the issuance hereof.

  
(HALEEM AHMED)

I/C MEMBER INSPECTION TEAM-II

Encl: as above.



TEL NO.: 99203151 (Ext-238)

Email: mit2shc@sindhhighcourt.gov.pk

FAX NO.: 99203217

14-12-2024

## THE HIGH COURT OF SINDH AT KARACHI

No.: 2048 /MIT-II/Civil Petition No. 1054-L of 2014 (SCP Islamabad) Dated: 14.12.2024

From:

**Member Inspection Team-II,  
High Court of Sindh, Karachi.**

To,

✓ All the learned District and Sessions Judges in Sindh.

**SUBJECT: SINE DIE OF THE CASE PROCEEDINGS IN ABSENCE  
OF ANY ORDER FROM SUPERIOR COURTS.**

*Ref: Civil Petition No.1054-L of 2014 (SCP, Islamabad).*

I am enclosing herewith copy of order dated 11.11.2024 passed by the Hon'ble Supreme Court of Pakistan in the above referred case, for information and compliance.

You are, therefore, required to circulate the judgment among all the judicial officers working under your administrative control, and send list of all such orders to be scrutinized by this office, which are adjourned/ sine die by courts in your respective districts where there is no interim injunction/ stay order by the Superior Courts but Courts adjourned the proceedings sine die. You are further requested to ensure that in future no case may be adjourned sine die in absence of any order of the Superior Courts.

Your report should reach this office within **seven days** hereof.

Dispatch Clerk  
District & Sessions Court  
Karachi Central

Enclosed as above

(Sadaf Khokhar) 14/12/24  
Member Inspection Team-II

Dispatch Clerk  
District & Session Court  
Karachi West

Received  
16/12/24  
DISPATCH CLERK  
District & Sessions Court  
Karachi East



16.12.2024  
16/12/24  
DISPATCH CLERK  
District & Sessions Court  
Karachi West



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8

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**Present:**  
Mr. Justice Sardar Tariq Masood  
Mr. Justice Mazhar Alam Khan Miankhel

**C.P.L.A.1054-L/2014**

(Against the judgment dated 04.06.2014 passed by Lahore High Court, Lahore in C.R.No.1982/2012)

*AD*  
**Ahmad Bakhsh**

...Petitioner(s)

**VERSUS**

...Respondent(s)

**Muhammad Nazir, etc**

For the Petitioner

For the Respondents

Date of Hearing

: Mr. Musthaq Ahmed Ch. ASC  
(Through Video Link Lahore)  
: Mr. Mahmood Gondal, ASC  
(Through Video Link Lahore)  
: 11.11.2024

**ORDER**

**Mazhar Alam Khan Miankhel, J:-**

The petitioner through instant petition for leave to appeal has impugned the judgment dated 04.06.2014 whereby his civil revision against the order dated 07.05.2012 of the Additional District Judge, Malak Wal was dismissed.

2. We have heard the learned counsel for the petitioner and have gone through the record. The record of the case would reflect that the pre-emption suit filed by the petitioner on 07.01.2002 was dismissed on 17.06.2009. The pre-emption suit of the petitioner was dismissed for want of proof of *Talab-e-Ishhad* as he had not annexed the copies of notices of *Talab-e-Ishhad* and the postal receipts with his plaint. To fill the gap, he applied for secondary evidence at a belated stage on 31.03.2003 which was not allowed. This order of refusal was not challenged and it attained finality. The suit of the petitioner resultantly was dismissed on 17.06.2009. The petitioner then filed an appeal thereagainst before the Additional District Judge, Malak Wal on 07.07.2009. During pendency of the appeal, the petitioner once again filed a belated application for additional evidence

**ATTESTED**

*AD*  
Court Associate  
Supreme Court of Pakistan  
Islamabad



on 22.09.2011 after more than two years of pendency of his appeal for production of original Acknowledgement Due Cards (AD Cards) with original envelopes in the custody of the petitioner. This very conduct shown by the petitioner is not acceptable under the canons of law and justice. Such like request was not made at the time of application for secondary evidence before the Trial Court. Record of the case would further reflect that after dismissal of his application for secondary evidence, the petitioner challenged the said order before the High Court and the High Court by taking entire stock of the facts, dismissed his Civil Revision on 04.06.2014. The petitioner still feeling himself aggrieved filed instant petition before this Court. No doubt, that because of huge pendency in this Court, this petition for leave to appeal was not fixed and heard before, but this aspect would also reflect the conduct of the petitioner herein as his main appeal against dismissal of his suit is still pending adjudication before the Additional District Judge, Malak Wal. There is nothing on the record which could reflect that he ever applied for early hearing of his petition. The shocking and astonishing aspect of the case is that the petitioner during pendency of his Civil Revision before the Lahore High Court, submitted a prayer before the Appellate Court to adjourn the appeal *sine die* on 26.09.2013 and the Appellate Court, without asking the other side adjourned the hearing of appeal despite the fact that there was no interim injunction / stay order by the High Court. The most disturbing aspect of this episode is that the other side also did not bother to approach the Appellate Court to restore the appeal after dismissal of the civil revision way back on 04.06.2014. The latest report from the Appellate Court submitted to office of this Court is that the appeal has not been restored up till now which was adjourned *sine die* on 26.09.2013. We have come across many of such cases where the pending proceedings were stayed even in absence of any stay / suspension order by the superior courts. This needs to be checked with strict measures

to streamline the judicial system which is already under attack. Copy of this

ATTESTED

Court Associate  
Supreme Court of Pakistan  
Islamabad



91  
The  
order be placed before the worthy Chief Justice of, Lahore High Court for necessary measures. Similarly, copies of this order be also placed before all the Chief Justices for necessary measures.

2. In view of the above, we see no merits in this petition. This petition is dismissed with costs throughout. Office is directed to send copy of this order to the Additional District Judge, Malak Wal for restoration of the main appeal and it is expected that the same would be decided within a period of two months positively.

ISLAMABAD  
11.11.2024  
Not Approved for Reporting  
(Infant Aslam)

20/11/24

SDA  
SDA  
Certified to be True Copy

Court Associate  
Supreme Court of Pakistan  
Islamabad