

**ORDER SHEET**  
**IN THE ISLAMABAD HIGH COURT, ISLAMABAD**  
**JUDICIAL DEPARTMENT**

C.R.No.404 of 2019  
Mansoor Amjad Khan  
Versus  
Muhammad Raza and others

S. No. of order / proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	23.10.2019	Mr. Riaz Hanif Rahi, Advocate for the petitioner.

Through the instant civil revision petition, the petitioner, Mansoor Amjad Khan, assails the orders dated 27.07.2019 and 12.10.2019 passed by the learned Civil Court. Vide order dated 27.07.2019, summons/notices were directed to be issued to the defendants in the suit for recovery of Rs.75,00,000/- filed by respondents No.1 and 2. Vide order dated 12.10.2019, summons/notices through registered posts A.D./courier as well as through process server for 27.11.2019 were directed to be issued to defendants No.1, 2 and 4 in the said suit.

2. Learned counsel for the petitioner submitted that the learned Civil Court erred by issuing summons/notices to the respondents/defendants in the suit which was grossly time barred and therefore, liable to be dismissed at the inception; and that in the said civil suit, a frivolous claim had been made by respondents No.1 and 2 against the petitioner.

3. The petitioner has the remedy of filing an application under Order VII, Rule 11 of the Code of Civil Procedure, 1908 ("C.P.C.") and take the plea of the suit being barred by limitation in such an application. Alternatively, the petitioner can also raise an objection to the

maintainability of the suit in the written statement.

4. In view the above, the instant revision petition is dismissed in *limine*.

**(MIANGUL HASSAN AURANGZEB)**  
**JUDGE**

**Sultan\***

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