

IN THE HIGH COURT OF SINDH, KARACHI
C.P No. D- 495 of 2026

M/s. Moosaco & others V. Standard Chartered Bank (Pakistan) Limited

Present:
Mr. Justice Yousuf Ali Sayeed,
Mr. Justice Muhammad Osman Ali Hadi

Date of hearing: 29.01.2026.

Date of decision: 29.01.2026.

Petitioners: Through Mr. Zohaib Z. Sarki, Advocate

ORDER

Muhammad Osman Ali Hadi, J: The Petitioners have filed the instant Petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, *inter alia*, challenging Order dated 07.01.2026 passed by the learned Banking Court No.III in Execution No. 04/2024 (Suit No. 77/2021).

2. Learned counsel for the Petitioners is seeking to halt auction of property, as has been ordered by the Banking Court in execution proceedings. The said property was ordered to be auctioned, after a lengthy due process was followed by the banking & executing courts below, in accordance with law. There appears no impediment in the process followed by the said courts, nor has any illegality been shown by the Petitioners.

3. In essence, the intention of the Petitioners by filing the instant Petition, simply appears to be to create a hindrance in an adjudicated matter. The effect of such Petition, if it were to be allowed, would be to uproot settled procedures of banking laws.

4. The learned counsel for the Petitioners has acknowledged that there is an alternate and adequate remedy regarding banking matters, vis-à-vis the special banking laws of the Country (which was followed); yet despite the same, he has filed the instant proceedings, for which he has remained unable to show any grounds for invocation of this Court under Article 199 of the Constitution of Pakistan 1973.

5. It is trite law, which has repeatedly been upheld by the Superior Courts, that where there is an alternate remedy and / or a Special Law has provided a mechanism for adjudication, the Constitutional Jurisdiction under Article 199 cannot be invoked (reliance is placed upon **2025 SCMR 249, 2024 SCMR 117 & 2011 CLD 1018**).

6. Accordingly, this Constitutional Petition being devoid of any merit is hereby dismissed. It is also further observed that such acts of attempting to misuse the Constitutional Jurisdiction of this Court, as has hereby been done by the Petitioner, in an effort to pursue abuse of process, are vehemently deprecated.

7. Due to the aforesaid, the instant Petition was dismissed in the earlier part of the day, and above are the reasons thereof.

Petition dismissed.

Judge

Judge

Ayaz