

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

1<sup>st</sup> Appeal No.D- 6 of 2025

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**DATE                      ORDER WITH SIGNATURE OF JUDGE**

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1. For orders on office objection.
2. For orders on CMA 217/2025.
3. For orders on CMA 218/2025.
4. hearing of main case.

29.04.2026.

None present for appellant.

Ms. Aneela, Advocate holds brief for Mr. Muhammad Siddique Soomro,  
Advocate for respondent-Bank.

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Counsel for the appellant has remained absent since last 04 dates of hearing. Even today none is in attendance. No intimation is received. We cannot wait endlessly for appellant's attendance.

2. Appellant/defendant/customer Khurram, is aggrieved with the judgment and decree dated 03.12.2024, passed by the learned Judge, Banking Court-II, Hyderabad, in Suit No.10/2024, filed by the respondent/plaintiff-Habib Bank Limited, decreed for the amount of Rs.22,64,574-73.

3. It appears from the material available on record that the appellant/customer had availed a loan facility from the respondent/plaintiff bank and even in the leave to defend written statement the appellant/defendant has not denied the liability that the Bank has claimed supported by statement of accounts. We also do not find compliance of the ingredients of Section 10(4) of FIO, 2001 which mandates that the appellant/defendant must file statement of accounts to negate the bank's claim. In the case in hand no such statutory requirement is met by the appellant/defendant. Additionally as per the grounds stated in the appeal, the appellant/defendant has also raised defence that due to heavy financial loss he could not pay the liability.

4. With great respect, the submissions advanced cannot be considered as valid grounds for interference in appellate jurisdiction. Such pleas may appropriately be agitated before the Executing Court, where the matter may be considered on its own merits, subject to all legal consequences. In the circumstances, we do not find any defect or irregularity in the impugned judgment and decree, nor is any case made out for interference. Accordingly, given the above this appeal is dismissed along with listed applications.

JUDGE

JUDGE

Tufail