

# HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

1<sup>st</sup> Appeal No.D-76 of 2025

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DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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**22.04.2026**

Mr.Rasheed Ahmed Solangi, Advocate for appellant  
Mr.Amanullah Memon, Advocate for respondent

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Appellant/defendant Muhammad Ishaque, is aggrieved with the judgment and decree dated 25.09.2025, passed by the learned Judge, Banking Court-I, Hyderabad, in Suit No.126/2024, filed by the respondent/plaintiff-Zarai Taraqati Bank Ltd (ZTBL) decreed for the amount of Rs.1,253,890/-.

2. This is the third date of hearing. Learned counsel for the appellant was called absent on 25.03.2026 and on 15.04.2026 when this bench, on his request, adjourned the matter for hearing today. It appears from the material available on record that the appellant/customer had availed a loan facility from the respondent/plaintiff bank and in paragraph No.10 of the leave to defend application admitted that he was/is ready to pay the principal amount to the respondent/plaintiff bank in easy instalments of Rs.5,000/- per month after receiving the insurance claim from the Insurance Company.

3. Today, learned counsel for the appellant submits that the appellant/customer could not meet his payment obligations due to financial constraints and was consequently unable to fulfil his liability. Counsel further pleads that the appellant is a person of limited means. He submits that the appellant is ready and willing to pay the entire decretal amount but seeks repayment by way of instalments or

deferment and prays for indulgence of this bench on account of the circumstances narrated. There is no denial of the finance extended by the bank to the appellant/defendant.

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, I do not find any defect or irregularity in the impugned judgment and decree, nor is any case made out for interference in the impugned judgment and decree. Accordingly, given the above this appeal is **dismissed**.

**JUDGE**

**JUDGE**

AHSAN K. ABRO