

ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT MIRPURKHAS

First Appeal No.D-07 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE
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- 1. For order on M.A No.196/2025
- 2. For order on office objection.
- 3. For hearing of main case.

14.04.2025

Mr. Safaraz Ali Talpur, Advocate for appellant.

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Dr. Syed Fiaz ul Hassan Shah,J:

- 1. Urgency granted.
- 2. Deferred.
- 3. It is inter alia contended by the counsel for the appellant that the judgment dated 18.03.2025 passed by the Banking Court Mirpurkhas is an ex-party order and the appellant has not been given opportunity of proper hearing as well as the application for repayment of mortgage amount/loan in installment was not received by the Court. Concentration with the impugned order and the provision of 10(i) of Financial Institution (Recovery of Finance Ordinance 2001) and failure to move an application for leave to defend with the prescribed time, counsel for the appellant states that the directions may be given to the Banking Court for repayment of loan amount by fixing monthly installments. In view of the above the First Appeal is hereby dismissed as withdrawn. It may be observed that appellant is at liberty to move application to the mortgage/loan before Banking Court, who shall pass an appropriate order after hearing all the parties and in accordance with law.

JUDGE

JUDGE

Adnan Ashraf Nizamani