

**ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT MIRPURKHAS**

1st Civil Appeal No. D-15 of 2025

DATE ORDER WITH SIGNATURE OF JUDGE

1. For order on office objections.
2. For orders on M.A No.670/ 2025.
3. For hearing of main case.

12.01.2026

Mr. Nasir Ahmed Khan advocate for appellant.

Mr. Muhammad Ilyas Dars advocate for the respondent a/w Mr. Ajeet Kumar, Manager Z.T.B.L Umerkot Branch.

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Mr. Muhammad Ilyas Dars advocate files *vakalatnama* on behalf of the respondent bank, which is taken on record. He states that he is ready to proceed with the case.

After arguing the matter at some length, both learned counsel under instructions of their respective clients, state that they would be satisfied if the instant matter is remanded back to the learned Banking Court for recording evidence of the parties and decision afresh subject to deposit of the principle amount by the appellant.

Accordingly, by consent of the parties, impugned judgment dated 22-10-2025 passed by learned Banking Court, Mirpurkhas in Banking Suit No.110/ 2025 is set aside and matter is remanded back to the learned trial Court for framing of issues and recording of evidence. Principle amount of Rs. 851, 994/= has already been deposited by the appellant with the learned Additional Registrar of this Court in terms of Order dated 01-12-2025. The learned Additional Registrar of this Court is directed to invest the said amount of Rs. 851, 994/= with the respondent Bank in some profitable Scheme with maximum profit being offered by the respondent bank, which shall remain with the Additional Registrar subject to final outcome of the suit before the learned Banking Court.

The instant Appeal alongwith pending application is, therefore, disposed of in above terms, with no order as to costs.

JUDGE

“Saleem”

JUDGE