

## ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

**Suit No.B-01 of 2008**

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Date	Order with signature of Judge
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- 1.For orders on CMA No.7057/2018.
- 2.For orders on CMA No.7058/2018.

**04.05.2018**

Mr. Abdul Sattar Lakhani, Advocate for the Plaintiff  
a/w M/s. Muhammad Tahir Bhatti & Muhammad  
Umair Memon, Attorneys of the Plaintiff.  
M/s. Saalim Salam Ansari & Zeeshan Abdullah,  
Advocates for the Defendant Nos.2, 3, 4, 5 & 6.  
Mr. Ravi R. Pinjani, Advocate for the  
Intervenor (SZABIST) a/w Dr. Muhammad Suleman,  
authorized representative of SZABIST.  
Defendant No.2 Ahmed Jamil Ansari present.  
Defendant No.3 Hasan Jamil Ansari present.  
Defendant No.4 Mohammad Ajmal Ansari present.  
Defendant No.5 Mrs. Yuba Jamil Ansari present.

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1. Urgent application filed by counsel for the defendant  
No.2 is granted.
2. This is a banking suit for recovery of amount  
alongwith cost of funds under Section 9 of the Financial  
Institutions (Recovery of Finances) Ordinance, 2001. It  
reflects from the order dated 10.03.2008 that the defendant  
No.1 failed to file any application for leave to defend,  
therefore, the suit was decreed under Section 1 of Sub-  
section 10 of the Financial Institutions (Recovery of  
Finances) Ordinance, 2001. Now the plaintiff and  
defendants Nos.2 to 6 during pendency of this suit have

filed the compromise application. On behalf of the plaintiff, M/s. Muhammad Tahir Bhatti and Muhammad Umair Memon have signed the compromise application as attorneys of the plaintiff. The indentures of their power of attorney are attached with the compromise application, whereas the defendant Nos.2, 3, 4 and 5 are present in court, whereas the defendant No.6 is being represented by Ahmed Jamil Ansari in terms of board resolution passed by the defendant No.6 on 23.04.2018. In the power of attorneys of the bank and the board resolution passed by the defendant No.6, it is clearly mentioned that their authorized representatives have been conferred powers to enter into compromise and to sign the compromise application, whereas the defendant Nos.2, 3, 4 and 5 in their personal capacity have also signed the compromise application. The compromise application is supported by the affidavits of plaintiff's attorneys and defendant Nos.2 to 5 as well as of the authorized representative of the defendant No.6. All affidavits are duly verified by the Identity Section Management System (ISMS), department of this court. The suit is decreed in terms of compromise, however, in clause (i) of the compromise application, certain litigations are mentioned. It is clarified that for disposal of other pending cases vice versa, parties will

move proper application in the concerned courts in accordance with the law. Some services are to be rendered by the Nazir of this court that will be subject to the payment of fee in the sum of Rs.15,000/-. The office is directed to attach the certified copy of the compromise application with the decree. All pending applications are also disposed of.

Judge

Asif

