



alongwith this application in order to establish her contention that payment of Rs. 105,000/- was made by her to Mr. Hashmi. Furthermore she had taken contradictory stands in the application, at one stage she has stated that in the month of March, 2013 she due to sickness went to the house of her daughter at Nawab Shah and on her return respondent No.2 came to her and upon inquiry she came to know that her mortgaged plots had been auctioned by the HBFC to the respondent No.2 (auction purchaser) and on the other hand she stated that she filed a civil suit bearing No.248 of 2013 for permanent injunction in which she came to know that her plots have been auctioned by the HBFC to the respondent No.2

13. Since no reasonable grounds could be made by the applicant to investigate further into the matter therefore the instant application filed by the applicant Mst.Zulekhan Awan is dismissed.”

Instead of availing appropriate remedy in accordance with law which might include filing of appeal against the order dated 22.9.2017 of the Banking Court, the petitioner has preferred to file this constitution petition only against the auction proceedings conducted in the year 2012. It is well settled that disputed question of facts cannot be decided in the writ jurisdiction.

After arguing at some length, the learned counsel for the petitioner agrees to avail appropriate remedy. In view of his above statement, this petition is disposed of accordingly.

Judge

Judge