

ORDER SHEET  
IN THE HIGH COURT OF SINDH, KARACHI  
C.P. No.D-5811 of 2018

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Date	Order with signature of Judge
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- 1.For order on Misc. No.25183/2018
- 2.For order on Misc. No.25184/2018
- 3.For order on Misc. No.25185/2018
- 4.For hearing of main case.

15.08.2018

Mr. Aamir Tabassum advocate for the petitioner.

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The petitioner has arrayed Soneri Bank Ltd. and the Presiding Officer, Banking Court No.V, Karachi as respondents in this petition. Learned counsel for the petitioner himself informed that Suit No.63/2012 is pending in Banking Court No.V, Karachi between the respondent No.1 and the petitioner for the recovery of amount under Section 9 of Financial Institution (Recovery of Finance) Ordinance, 2001 and the issues have been settled by the Banking Court. Through this petition, the petitioner is seeking directions against the private bank to disclose the detail breakup of finance facility and actual outstanding amount as the petitioner is ready to settle the dispute with respondent bank and ready to pay the amount through cheque. Further directions have been sought against the bank to receive a cheque of Rs. 24,43,125/- as final settlement of the entire liability. Since the matter is already pending in the competent jurisdiction and the issues have been settled for deciding the suit on merits. However, if the petitioner is admitting some liability and wants to settle the

matter with the bank, the proper course is to approach Banking Court where matter may be considered in an appropriate jurisdiction. At present, no order is impugned in the petition. Even otherwise, the petitioner has ample remedy to challenge the judgment and decree if any passed against him in appeal. We are of the firm view that this petition is not maintainable which is dismissed, however, petitioner if so advised may move proper application to the learned trial court for settlement if any which may be decided by the learned Banking Court in accordance with law.

JUDGE

JUDGE

Aadil Arab

