ORDER SHEET IN THE HIGH COURT OF SINDH, KARACHI C.P.No.D-1622 of 2019

Order with signature of Judge

Date

<u>Present</u> Mr. Justice Muhammad Ali Mazhar Mr. Justice Agha Faisal

M/s. Perfect Consultants.....Petitioner

VERSUS

Federation of Pakistan & others......Respondents

Kazi Abdul Hameed Siddiqui, Advocate for Petitioner.

Muhammad Ali Mazhar, J: The learned counsel for the petitioner argued that the petitioner is providing services of valuations of assets such as land, building, plant and machinery, stocks and rental valuations to different banks. In 2004 the petitioner was enlisted with Pakistan Bank Association. In 2012 it was disclosed to the petitioner that its ex-employee Mian Muhammad Ashfaque was forging documents in the name of petitioner and was making valuation reports and sending it to the banks with his own signature and seal. He had also opened an account in the name of the petitioner. The petitioner firm lodged the FIR against the said employee Mian Muhammad Ashfaque in Faisalabad who was declared proclaimed offender by the trial court. In the year 2010 the respondent No.4 and subsequently the respondent No.3 on July 07, 2014 delisted the petitioner company as an approved valuator without providing any opportunity of hearing to the petitioner. Virtually, the petitioner

has approached this court for the directions against the respondent Nos.3 and 4 to discontinue the delisting of the petitioner company and allow them to perform as evaluator.

2. To a question raised by this court as to how this petition is maintainable against Habib Bank Limited and Askari Bank Limited as both cannot be regarded as persons performing the functions in connection with the affairs of the Federation or the province? The learned counsel could not come forward to satisfy, however, after arguing at some length he agreed to file a civil suit.

3. We dismissed this petition in limine through our short order passed today. Above are the reasons. The petitioner may file civil suit subject to all just exceptions.

Judge

Judge

Karachi. Dated 12.03.2019.

Asif