

Order Sheet  
**IN THE HIGH COURT OF SINDH,**  
CIRCUIT COURT, HYDERABAD

CP No. D- 1570 of 2022

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DATE	ORDER WITH SIGNATURE OF JUDGE
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01.06.2022

For orders on MA 7284/22  
For orders on office objection  
For orders on MA 7285/22  
For hearing of main case

None present.

The petitioner being a borrower challenged an order dated 15<sup>th</sup> March 2022 passed by the Banking Court-II Hyderabad in Suit No. 341 of 2015 whereby an application under Section 5(8) of the Financial Institution (Recovery of Finances) Ordinance 2001 for calling an expert from State Bank of Pakistan having ten years experience of Banking at senior management level in the Financial Institutions, as an Amicus Curiae. The Banking Court was of the view that there was no cogent reason disclosed to call an officer of the State Bank of Pakistan as Amicus Curiae. It is upto the court if it so desires to appoint an expert or amicus and that cannot be done at the behest of the parties. The statute does not provide any remedy of appeal hence such statutory scheme cannot be by-passed by challenging the impugned Order in a petition under Article 199 of the Constitution of Islamic Republic of Pakistan. The petitioner, if aggrieved, of the findings of the order and conclusion drawn in the impugned Order may challenge it cumulatively after passing of the final Judgment and Decree if he is so aggrieved. The petition being misconceived is dismissed.

JUDGE

JUDGE