

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

CP No. D- 1571 of 2022

| DATE | ORDER WITH SIGNATURE OF JUDGE |
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01.06.2022

For orders on MA 7282/22
For orders on office objection
For orders on MA 7283/22
For hearing of main case

None present.

This is again an application under Section XVI Rule 1 & 2 CPC filed in Suit No. 341 of 2015 in Banking Court-II Hyderabad. The Banking Court was pleased to dismiss the said application on the ground that there was no plausible explanation provided for not inserting the names of these witnesses earlier when the list of witnesses was filed and perhaps on this count the application was dismissed. 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