

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD.
C.P No.D-964 of 2013

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. FOR ORDER ON OFFICE OBJECTION.
2. FOR ORDER ON MA NO.7766/2013.
3. FOR KATCHA PESHL.

12-11-2013,

Mr. Ayatullah Khuwaja, advocate for the petitioner.

Mr. Allah Bachayo Soomro, Additional A.G. Sindh along with Abdul Ghafoor Memon, Accounts Officer O.G.2, State Bank of Pakistan, Hyderabad.

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Through this petition, petitioner seeks following reliefs: -

- a. *Declare the act of the respondents No.2 to 4 i.e. dishonoring the said Cheques of the petitioner and withholding the deposits of the petitioner, is illegal, null and void and even a departure from their legal, moral and bounden obligations.*
- b. *Declare the act of the respondents No.2 to 4 i.e. seizing the said accounts of the petitioner without any cause or reason, without any notice and intimation, is illegal, null and void, without lawful authority, excess of authority and even departure from their legal, moral and bounden obligations.*
- c. *Direct the respondents No.3 and 4 to run the said accounts of the petitioner without creating any hindrances.*
- d. *Award any other relief, deemed fit and proper.*

From the pleading, it appears that the petitioner is customer of Muslim Commercial Bank Limited, Branch Global Transaction Banking, Shaheen Complex, 1st Floor, M.R Kiyani Road Karachi and operates his two accounts bearing PLS A/c # 3068-9 and DKA-31-0; he presented two cheques but same were not encashed by the concerned Bank on the ground that, under the instruction of NAB authorities, his accounts have been seized. The grievance of the petitioner is that though he approached the respondent No.1 (State Bank of Pakistan) but none paid any heed.

Pursuant to notice, respondent No.1 furnished his comments denying allegations leveled against him. Besides in para No.7, the respondent No.1 has categorically stated that petitioner has never approached the State Bank of

Pakistan and in case, the petitioner approaches, his grievance will be redressed in accordance with law.

It appears that the grievance of petitioner remains against the MCB, which is private Bank and it is well settled law that petition does not lie against the private Bank besides learned counsel for the petitioner has not produced any document/directions issued regarding the seizer of his bank accounts.

In view of above, we do not find any merit in the instant petition, which is accordingly dismissed along with listed application. However, the petitioner is at liberty to approach the respondent No.1 for redressal of his grievance. if so advised.


JUDGE
JUDGE