

Order Sheet

IN THE HIGH COURT OF SINDH AT KARACHI

Ist Appeal No.34 of 2023

(Shabbir Hussain versus Standard Chartered Bank
(Pakistan) Limited and others)

DATE	ORDER WITH SIGNATURE OF JUDGE
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Present:

Mr. Justice Muhammad Shafi Siddiqui

Mr. Justice Omar Sial

Hearing Case (Priority)

- 1.For order on office objection/ reply at "A"
- 2.For hearing of main case.
- 3.For hearing of CMA No.1940/2023

22.02.2024

Mr. Abdullah Azzam Naqvi, Advocate for Appellant
Mr. Ghulam Rasool Korai, Advocate for Respondent No.1
Syed Asam-ul-Haq, Advocate for Respondent No.2
Mr.Muhammad Zahid Khan, Advocate for Respondent No.3(a) to 3(f)

Muhammad Shafi Siddiqui, J: Learned counsel for the Appellant is concerned with the observations made by learned Single Judge while disposing/dismissing application under Section 12(2) CPC as it may influence the proceedings which were initiated by the Appellant in the shape of Suit No.386 of 2016 pending before this Court as well as application under Section 17(7) of the Financial Institution (Recovery of Finances) Ordinance, 2001, which claims to have been pending before the Banking Court. Appellant claims title for himself and seeks cancellation of Respondents' title, which, per Appellant, could only be done by a civil Court. Respondents' counsels have agreed that independent litigations pending as identified above may be heard, decided and taken to its logical end, without being influenced by any observation in the impugned order.

Since all counsels have agreed, we, therefore, dispose of this Ist Appeal with the observation that the two litigations i.e., (1) Suit No.386 of 2016 pending before this Court and (2) application under Section 17(7) of the Financial Institution (Recovery of Finances) Ordinance, 2001, pending

before the Banking Court, be heard and decided on merits without being influenced by the observations made by learned Single Judge in the impugned order.

Appeal stands disposed of in the above terms.

J U D G E

J U D G E

Ashraf