HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

1st Appeal No.D-31 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE(S)

28.04.2026

None present

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The appellant/defendant-customer has instituted this 1st appeal against the respondent/plaintiff-bank ("ZTBL") on 13.04.2026. The opening paragraph of the appeal lists the order dated 05.10.2022, wherein the appellant/defendant-customer was debarred from filing leave to defend application under Section 10 of the Financial Institutions (Recovery of Finances) Ordinance, 2001 ("FIO"). The appellant/defendant-customer did not prefer any appeal to the said Order. The second and third orders which the appellant/defendant-customer says that he is aggrieved by is an Order dated 23.01.2026 and another dated 31.03.2026. The 23.01.2026 Order appears to be passed concerning an application seeking restoration filed by the appellant/defendant-customer on 31.01.2026, so that the suit presumably following orders passed on 05.10.2022, may be restored to its original position on the ground that the appellant/defendant-customer is 80 years old and bedridden. Notwithstanding the legitimacy of the application and time bar, this is hardly a valid ground for setting aside the leave to defend application. Be that as it may, the third order dated 31.03.2026 seeks to set-aside the second Order dated 23.01.2026. No appeal lies against a leave to defend Order under Section 20 of the FIO, 2001. Further the remaining two Orders are also not appealable under Section 20 of FIO, 2001. Accordingly, this first appeal is **dismissed** in limine alongwith listed applications. The Banking Court No.II, Hyderabad is directed to decide the Banking Suit No.81/2022 expeditiously.

JUDGE

JUDGE

AHSAN K. ABRO