

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. NO. D-781 of 2008
Along with
C. P. NO. D- 1474, 524, 2052 of 2009

Date

Order with signature of Judge

PRIORITY

- 1) For orders on CMA No. 11376/2024.
- 2) For orders on CMA No. 20748/2014.
- 3) For orders on CMA No. 3831/2008.
- 4) For orders on CMA No. 3498/2008.
- 5) For orders on CMA No. 3499/2008.
- 6) For hearing of main case.

25.08.2025.

M/s. Tahmasp Rizvi & Shoaib Ali Khatian, Advocates
for Petitioner.

Mr. Syed Hussain Shah, Assistant Advocate General.

Mr. Abid Hussain, Respondent No. 1 & 2.

Mr. Syed Shayan Ahmed Respondent No. 8 & 11.

Mr. Mr. Hassan Ali, Respondent No. 10.

Mr. Zainul Abdeen Shah, Respondent No. 13.

Mr. Manzoorul Haq, Advocate for Respondent (SBP).

Through this Petition, the Petitioner has sought the following relief:-

- a) To direct the Respondents not to harass the petitioner and to act in accordance with law.
- b) To direct the Respondents No.1 to 7 not to provide shelter/support and cover to the staff of the Respondents No.8 to 16 for visit and dealing the petitioner and his family members and also direct the respondents to conduct their affairs in a manner calculated to avoid occurrence of any act which is not permissible under the safeguard provided for the security, dignity and respect of the citizen available under the Constitution of Pakistan, 1973.
- c) To direct the Respondents No.8 to 16 to immediately inform the petitioner in writing about the outstanding dues and by consent settle the matter with dignity and respect of the petitioner.
- d) To direct the respondents not to visit or humiliate/disrespect or insult or harass the petitioner and his family members in any manner, whatsoever, till the final disposal of this petition.
- e) Or may pass any other order/orders in favour of the petitioner against the respondents which may deems fit and proper under the circumstances of the petition."

We have heard learned Counsel for the parties and perused the record. This Petition is pending since 2008 and pursuant to order dated 11.05.2010, a Larger Bench was also constituted; however, in essence the Respondent Banks are acting pursuant to *Fair Debt Collection Guidelines* issued by State Bank of Pakistan on 03.11.2008, issued after filing of this Petition and the reported grievance of the Petitioner in question. For the present purposes, apparently the grievance is no more alive, whereas we do not see any justification to interfere with the Circular in question as it clearly provides that Banks and their staff shall not **harass** any of the family members of the debtors in question. This perhaps, suffice as to the prayer being sought on behalf of the Petitioner.

Therefore, this Petition is disposed of with the observations that the Respondent Banks shall act strictly in accordance with law including the Financial Institutions (Recovery of Finances) Ordinance, 2001 and the guidelines issued by the State Bank of Pakistan from time to time; however, the Banks shall not **harass** their customers / defaulters. It is needless to observe that if any such harassment is caused otherwise, the aggrieved person can avail the remedy as available in law.

With these observations, these Petitions are disposed of along with pending application(s). Office to place copy of this order in connected Petitions.

CHIEF JUSTICE

J U D G E

J U D G E

Arshad/