

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
**First Appeal No.114 of 2025**

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**DATE:** **ORDER WITH SIGNATURE(S) OF JUDGE(S).**

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**Hearing of Case**  
**For hearing of Main Case**

**10.02.2026**

Mr. Harchand Rai, Advocate for the Appellant.

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Despite service of notice through publication and repeated calls, no one is in attendance on behalf of the Respondent.

Short controversy is involved in this matter. The Banking Suit of the present Appellant was dismissed; because the Representative could not explain the breakup of accounts and produce the original documents. The Respondent did not appear before the Banking Court to defend the case. Learned Counsel has referred to Paragraph-7 containing breakup of finance facility and outstanding liability and states that compliance of Section 9 of the Financial Institutions [Recovery of Finances] Ordinance, 2001, has been made, yet the impugned Order was passed.

We have gone through the record.

The Appellant's Representative should be well-prepared to produce the original documents and justify the outstanding liability before the Banking Court. *Prima facie*, it shows the slackness on their part, but on the other hand, if we do not interfere in the impugned Order, it would benefit the Respondent, who, without contesting the matter of this nature, has in effect succeeded in it. Consequently, the impugned Order dated 26.05.2025 is set aside and the Banking Suit proceeding is revived from the stage it was culminated. The Counsel and the Representative of Appellant Bank will

assist the Court as required. However, due to the above act of the Appellant, valuable time of this Court and of genuine litigants is consumed. Therefore, we impose a cost of Rs.20,000/- upon the Appellant Bank, which shall be deposited in the account of High Court Clinic.

In view of the above, this Appeal stands disposed of along with all pending Application(s), if any.

**Judge**

**Judge**

Riaz / P.S.