ORDER SHEET

# IN THE HIGH COURT OF SINDH,

## CIRCUIT COURT, MIRPURKHAS

1st Appeal No.D-08 of 2026

| DATE | ORDER WITH SIGNATURE OF JUDGE |
|---|---|

12.11.2026

Mr. Om Parkash H. Karmani advocate for appellant.
Mr. Muhammad Sharif Solangi A.A.G Sindh.

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The appellant has challenged the judgment and decree dated 18.12.2025 passed by the Banking Court, Mirpurkhas in Suit No.90/2025 whereby the suit was decreed *ex-parte*. When confronted with the provisions of Section 10(9) of the Financial Institutions (Recovery of Finances) Ordinance, 2001, learned counsel for the appellant submitted that in the execution application NBWs have been issued against appellant; therefore, he cannot surrender before the learned trial Court.

Heard arguments. Since the learned trial Court has passed an *ex-parte* judgment and decree, the appellant may avail remedy as provided under Section 10(9) of the Financial Institutions (Recovery of Finances) Ordinance, 2001 before the learned trial Court and the said application shall be considered strictly in accordance with law. However, the NBWs issued against the appellant by the learned trial Court shall remain suspended for a period of thirty days from today. In case the appellant fails to surrender before the learned trial Court within the aforementioned period, the executing Court shall proceed with the matter in accordance with law.

The instant appeal stands disposed of in the above terms.

**JUDGE**

**JUDGE**

*Chander Kumar*