

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, KARACHI**  
***First Appeal No.111 OF 2016***

<b>Date</b>	<b>Order with signature of Judge</b>
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1. *For hearing of main case*
2. *For hearing of CMA No.3301 of 2016*

04.05.2021

Mr. Tassawur Ali Hashmi, Advocate for the appellant.  
Mr. Masood Anwar Ausaf, Advocate for the respondent No.1.

After hearing the learned counsel for the parties at some length, it has transpired that the objection of the learned counsel for the appellant to the extent that the handwriting expert report regarding signatures of the guarantors, which was obtained on the directions of the Court and was duly taken on record vide diary sheet dated 11.05.2005, has been ignored. It has been further observed that the handwriting expert report, prima facie, supports the contention of the learned counsel for the appellant that the signature of the appellant were not comparable with the admitted signatures, whereas the respondents failed to file any objection on such report and also did not chose to call and cross examine the handwriting expert as a witness. In view of hereinabove admitted facts borne from the record, by consent, we are remanding the matter back to the learned Banking Court No.III, at Karachi to examine this aspect of the matter, whereas the learned counsel for the parties will be at liberty to argue their case with regard to the admissibility and sanctity of handwriting expert report, with the help of the relevant case law, if any, and thereafter may decide the case in accordance with law preferably within a period of two months, excluding the period of vacations.

The instant First Appeal stands disposed of in the above terms along with listed applications.

**J U D G E**  
**J U D G E**