

## IN THE HIGH COURT OF SINDH KARACHI

### Suit No. B - 60 of 2011

[Faysal Bank Limited versus Mr. Mirza Ghulam Mujtaba & others]

Plaintiff : Faysal Bank Limited through Mr. Suleman Hudda, Advocate.  
Defendants : Nemo.  
Date of hearing : 15-05-2025  
Date of judgment : 15-05-2025

### ORDER

**Adnan Iqbal Chaudhry J.** - Learned counsel for the Plaintiff submits that after revision in pecuniary limits vide amending Act XXXVIII of 2016, a suit under the FIO 2001 is triable by the High Court only if the claim exceeds Rs. 100 million; that since the claim in this suit is less, it should be transferred to the lower Banking Court. However, a perusal of the amending Act XXXVIII of 2016 shows that even though the pecuniary limit for a claim before the High Court (as Banking Court) was enhanced from Rs. 50 million to Rs. 100 million in section 2(b) of the FIO, 2001, it was not given retrospective effect nor was a provision made to transfer suits pending in the High Court. Therefore, I am of the view that said amendment did not affect suits pending in the High Court as the Banking Court. In fact, the record reflects this suit had erroneously been transferred to the lower Banking Court, but was recalled upon realizing the mistake. Counsel may prepare himself for arguments.

Adjourned to a date in office.

SHABAN\*

JUDGE