

**JUDGMENT SHEET**  
**IN THE LAHORE HIGH COURT,**  
**LAHORE**  
**JUDICIAL DEPARTMENT**

**Writ Petition No. 38033 of 2023**

***Sheikh Muhammad Anwar and 04 Others***

***Versus***

***Judge Banking Court and another***

**JUDGMENT**

<i>Date of hearing</i>	19.12.2023
<i>Petitioners by</i>	<i>M/s. Shahid Ikram Siddiqui, Mr. Muhammad Imran Malik, Mr. Akif Majeed Butt, Mr. Hassan Ismail, Mr. Asim Tufail Farooqi, Mr. Muhammad Bilal Mehmood, Barrister Sajid Ikram Siddiqui, Mr. Fazal Mahmood Chaudhary, Rao Zahid Tasawar, Mr. Shahzad Ahmad Qureshi, Mian Asghar Ali, Mian Ghulam Mohy-ud-Din, Mr. Tehseen Sarwar, Mr. M. Faizan Saleem, Mr. M. Imran Saleem, Mr. M. Usman Saleem, Mr. Taimur Saleem, Ms. Maha Batool, Ms. Hira Asif Awan, Mr. Nadeem Irshad, Mr. Muhammad Riaz, Ch. Abdul Razzaq, Ch. Mahmood-ur-Rehman, learned Advocates.</i>
<i>Respondent(s) by</i>	<i>Mr. Tariq Kamal Qazi, Mr. Shoaib Rasheed, Syed Moazam Ali Shah,</i>

	<p><i>Barrister Syed Ali Rizvi, Mr. Hfeez Saeed Akhtar, Barrister Sheheryar Riaz, Syed Aatir Raza, Mr. Ali Yousaf, Mr. Afnan Malik, Mr. Haroon Yazdani, Mr. Muhammad Irfan, Rana Haseeb Ahmad Khan, Mr. Ahmad Jamal, Mr. Abdul Muqtadir Khan, Barrister Ahmed Pervaiz, Mr. Jawad H. Tarar, Ch. Muhammad Ijaz Jamal, Kh. M. Ajmal, Mr. Majid Ali Wajid, Mr. Muhammad Nashit, Mr. Anwar Shahzad, Mr. Bilal Riaz Sheikh, Mr. Nadeem Ahmad, Mr. Qaiser Abbas, Sheikh Zeeshan Ishfaq, Mr. Falak Sher, Mr. M. Nadeem, Mr. Asher Ellahi, Mr. Moeed Ahmad, Mr. Hussain Javed, Mr. Salman Ahmad, Mr. Muzammil Ashraf Qureshi, Mr. Tariq Nawaz Bhatti, Mr. Saeed Mushtaq, Mian Zaheer Ahmad, Mr. M. Jawad Khan Lodhi, Mr. Muhammad Ahmad Khan Niazi, Mr. Nauman Ahmad Chaudhary, Syed Samir Sohail, Rana Muhammad Ishaq, Mr. Shoaib Rashid, Ms. Manahil Khan, Mr. Abdul Hameed, Ch. Sohail, Rana Muhammad Akram, Syed Moazzam Ali Shah, Mr. Suhaib Ahsan, Mr. Zain-ul-Abideen, Ms. Ambreen Moieen, Ms. Javira Latif, Mr. Amir Wakil Butt, Syed Hassan Gillani, Mr. Atif Sattar Arieen, Ms. Lubna Saleem, Ms. Lubna Saleem, learned Advocates-Bank.</i></p>
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*Mir Haroon-ul-Rasheed, learned Assistant Attorney General.*  
*Mr. Muhammad Nasim Saqlain, learned Assistant Attorney General.*  
*Mr. Salman Asif Warrach, learned Assistant Advocate General.*  
*Mr. Makhdoom Owais, Assistant Director Investigation, FIA, Zahoor Ahmad Sub-Inspector FIA/CBC/LHR.*

**Sultan Tanvir Ahmad, J:-** Through this judgment the captioned constitution petition as well as the petitions detailed in schedule ‘A’, having common questions of law and facts, shall be decided. The petitioners are aggrieved from the complaints filed by the financial institutions under section 20 of the Financial Institutions (Recovery of Finances) Ordinance, 2001 (the ‘*Ordinance*’) pending before various learned Banking Courts (the ‘*Banking Courts*’). The petitioners are seeking to stay of proceedings in the criminal complaints, *inter alia*, on the common ground that criminal proceedings under the *Ordinance* cannot proceed simultaneously with the civil proceedings.

02. In the captioned case, the petitioners have challenged the criminal complaint No. 09/2023 filed on 04.04.2023 by National Bank of Pakistan. The suit filed by the bank under section 9 of the *Ordinance*, has already been

decreed and presently RFA No. 58448/2022 against the judgment and decree dated 23.05.2022 is pending adjudication.

It is alleged in the complaint that the petitioners have committed breach of letters of pledge, hypothecation and other security documents as well as they have made false representation to obtain finance facility.

03. Mr. Muhammad Imran Malik-learned ASC, on behalf of the petitioners, has submitted that the remedy of criminal complaint, as contemplated in the *Ordinance*, is dependent upon fulfillment of obligations and / or determination of liability at the civil side. Learned counsel has stated that the intent of legislature is clear from wording of section 20(1)(a) of the *Ordinance*, which provides that a customer can be held responsible for criminal liability only when he commits dishonest breach of the terms of instruments narrated therein. He has stated that section 20(1)(b) of the *Ordinance* also makes the criminal liability dependent on breach of obligation; that section 3 of the *Ordinance* determines the duty of customer and as per the same, duty only arises when the obligations are determined or a judgment at civil side is passed against a customer. It is further submitted that the provisions of the *Ordinance* are very much clear that remedy of filing of criminal complaint under section 20 of the

*Ordinance* is dependent upon non-fulfillment of obligation(s) with respect to finance facility and use of word judgment in section 3 of the *Ordinance* means that unless default is determined, the criminal proceedings cannot be initiated. Mr. Muhammad Imran Malik, in course of arguments, has repeatedly relied upon the judgment in case titled "Messrs Long Grain Rice Mills (Pvt.) Ltd. through Chief Executive vs. Habib Bank Limited through Senior Manager (CAD) and Senior Manager (Remedial) and another" (**2016 CLD 551**). Learned counsel for the petitioners has further made reference to cases titled "Akhlaq Hussain Kayani vs. Zafar Iqbal Kiyani and others" (**2010 SCMR 1835**), "Miraj Khan vs. Gul Ahmed and 3 others" (**2000 SCMR 122**) and "Abdul Haleem vs. The State and others" (**1982 SCMR 988**).

04. On the other hand, Mr. Tariq Kamal Qazi-learned counsel for the financial institutions has relied on cases titled "Dr. Sher Afgan Khan Niazi vs. Ali S. Habib and others" (**2011 SCMR 1813**) and "Muhammad Aslam vs. The State and others" (**2017 SCMR 390**) and he has stated that merely for the reason that civil suit is filed, the criminal proceedings can neither be quashed nor they can put to halt in the constitutional jurisdiction, without first availing the remedies provided under the law. He has further argued that where

alleged crime is unavoidably dependent on the civil liability, the *Banking Courts* are sufficiently permitted by law to postpone the criminal proceedings and there is no wisdom in laying down any general principle for the cases involving different facts as the law has already empowered the *Banking Courts* to make a decision in this regard, keeping in view the facts of the separate cases. He has added that unlike torts and contracts, the criminal law is a branch of public law and although the direct and immediate victim of a crime is typically a private party but it always causes social harm and whole community is indirectly affected from the same; that in most of the jurisdictions the criminal proceedings, since having direct nexus and harm to the society, are given precedence over the civil proceedings, if arises out of the same set of facts.

Mr. Shoaib Rasheed-learned ASC, has read various provisions of the *Ordinance* and he has argued that the stance adopted by the petitioners and interpretation of the provisions put forth is incorrect. He has stated that section 3(2) of the *Ordinance* specifically provides that the customer in default, is liable to pay the cost of funds in addition to the default amount, *apart from such other civil and criminal liabilities*, which is meaningful.

05. Syed Moazam Ali Shah-learned ASC, while

relying upon the historical background of banking laws, has argued that the *Ordinance* has been promulgated to provide speedy remedy; that substantial compliance of section 13 of the *Ordinance* is not taking place, causing damage to both borrowers and financial institutions; that the relief sought in the petitions will defeat the very object of the *Ordinance*. Barrister Syed Ali Rizvi, has argued that the constitutional jurisdiction of this Court has been invoked without first availing the statutory, legal and efficacious remedy available to the petitioners before the *Banking Courts*. He contended that this omission or failure to avail such remedy before invoking the constitutional jurisdiction would attribute redundancy to spirit, scheme, provisions and process set by the legislature in the *Ordinance* and Criminal Procedure Code, 1898 (**Cr.P.C.**).

He has shown his concern about opening of floodgate of litigation, whereby, the parties can simply ignore the provision and scheme of law, by directly invoking the constitutional jurisdiction of this Court. Mr. Hfeez Saeed Akhtar-learned ASC referred to case titled “Central Board of Revenue and another vs. Khan Muhammad” (**PLD 1986 SC 192**) and argued that the Honourable Supreme Court refused to stay the criminal proceedings despite pendency of the civil litigation in a case arising out of the Customs Act, 1969 and observed that both are independent of each other. He further relied on “Malik

*Khuda Bakhsh vs. The State*” (1995 SCMR 1621), “*Mauj Din through Legal Heirs and others vs. Settlement Commissioner, Lahore Division and others*” (2002 SCMR 2001), “*Seema Fareed and others vs. The State and another*” (2008 SCMR 839) and various other judgments. It is submitted that in the context of offences defined in section 2(g)(ii) and (iii) read with section 20 of the *Ordinance* element of civil default is not necessary to be determined before criminal proceedings. He further relied upon the judgments given by the Courts of the neighboring countries and argued that precedence is being given to criminal cases.

06. I have heard the arguments of the learned counsel for the parties. Documents relied by the parties have been perused.

07. A learned full bench of this Court in judgment reported as “*Mian Ayaz Anwar and Others Versus State Bank of Pakistan and Others*” (2019 CLD 375) and another learned Bench in case titled “*Misbah Ud Din Zaigham and 03 Others Versus Federal Investigation Agency through Assistant Director (FIA/CBC/LHR) and another*” (2021 CLD 906) have already dealt with the cases that involve willful default within the scope of section 2(g)(i) of the *Ordinance*. The present petitions relate to the cases in which willful default

as defined by section 2(g)(ii) & (iii) of the *Ordinance* is alleged and complaints under relevant sub-sections of section 20 of the *Ordinance* are pending.

08. It is apt to start with the provisions forming the basic dispute between the contestants.

2(g) "Willful default" means—

- (i) *deliberate or intentional failure to repay any finance, loan, advance or any financial assistance received by any person from a financial institution after such payment has become due under the terms of any law or an agreement, rules or regulations issued by the State Bank of Pakistan;*
- (ii) *utilization of finance, loan, advance or financial assistance or a substantial part thereof, obtained by any person from a financial institution for a purpose other than that for which such finance, loan, advance or financial assistance had been obtained and payment in part or full not made to the financial institution; or*
- (iii) *removal, transfer, misappropriation or sale of any assets collateralized to secure a finance, loan, advance or financial assistance obtained from a financial institution without permission of such institution.*

20. Provisions relating to certain offences.-

(1) Whoever-

- (a) *dishonestly commits a breach of the terms of a letter of*

*hypothecation, trust receipt or any other instrument or document executed by him whereby possession of the assets or properties offered as security for the re-payment of finance or fulfillment of any obligation are not with the Financial Institutions but are retained by or entrusted to him for the purposes of dealing with the same in the ordinary course of business subject to the terms of the letter of hypothecation or trust receipt or other instrument or document or for the purpose of effecting their sale and depositing the sale proceeds with the Financial Institutions; or*

- (b) *makes fraudulent misrepresentation or commits a breach of an obligation or representation made to a Financial Institutions on the basis of which the Financial Institutions has granted a finance; or*
- (c) *subsequent to the creation of a mortgage in favour of a Financial Institutions, dishonestly alienates or parts with the possession of the mortgaged property whether by creation of a lease or otherwise contrary to the terms thereof, without the written permission of the Financial Institutions; or*
- (d) *subsequent to the passing of a decree under section 10 or 11, sells, transfers or otherwise alienates, or parts with possession of his assets or properties acquired after the grant of finance by the Financial institutions, including*

*assets or properties acquired benami in the name of an ostensible owner*

*shall, without prejudice to any other action which may be taken against him under this Ordinance or any other law for the time being in force, be punishable with imprisonment of either description for a term which may extend to three years and shall also be liable to a fine which may extend to the value of the property or security as decreed or the market value whichever is higher and shall be ordered by the Banking Court trying the offence to deliver up or refund to the Financial Institutions, within a time to be fixed by the Banking Court, the property or the value of the property or security".*

2. xxxx
3. xxxx
4. xxxx
5. xxxx
6. xxxx
7. xxxx
8. xxxx
9. xxxx

*(Emphasis Supplied)*

09. Section 2(g)(ii) of the *Ordinance* primarily relates to utilization of finance facility for a purpose other than for which this facility is obtained. Similarly, removal or transfer, misappropriation or sale of collaterals, as contemplated in section 2(g)(iii) of the *Ordinance*, can constitute willful default when the same takes place without permission of the financial institution. A reading of above

highlighted part of section 20 of the *Ordinance* reveals that whoever, commits offence as envisaged in section 20(1)(a) to (c) of the *Ordinance* can be punished under said provision without prejudice to any other action which may be taken against him under the *Ordinance*. Punishment for section 20(1)(d) of the *Ordinance* is visibly dependent upon determination of civil liability / decree. The petitioners-side has tried to take support of section 3 of the *Ordinance* and stated that duty of customers depends on default in obligation, however, sub-section 2 of this provision provides that *where a customer defaults in obligation, he shall be liable to pay, for the period from his default ...., apart from other civil and criminal liabilities that he may incur under the contract or rules or any other law for the time being in force.*

10. In “Mian Ayaz Anwar” case (*supra*), learned Full Bench of this Court observed that section 2(g)(ii) & (iii) of the *Ordinance* provide independent offences, which are not dependent on determination of suit under section 9 of the *Ordinance*. It is further decided that in these cases, the criminal complaints under relevant parts of section 20 of the *Ordinance*, can proceed without determination of default to pay. It will be beneficial to reproduce paragraph No. 17 of the said judgment that reads:-

*"17. So far as the offences in section 2(g)(ii) and (iii) of the FIO are concerned, they provide for independent offences which can be tried under section 20 of the FIO independent of any determination of a default in an obligation to pay. Neither offences are dependent on the civil liability 'default' under section 9 of the FIO as they are offences due to the very act of the customer. So if a customer utilizes the finance obtained from a financial institution for purposes other than for which it was given for or if a customer removes, transfers or misappropriates collateral or security of the financial institution, then the act of such removal, transfer or misappropriation constitutes an offence for which criminal proceedings can be instituted under section 20 of the FIO. A lot has been argued with reference to the power given to a government agency for investigating into the offence of "willful default" under section 20(7). However, we find that the power is simply to investigate, that too on a complaint filed in writing by the Bank and after securing a thirty days' notice. Hence, it is neither unconstitutional nor excessive. The Banking Court being the special forum to try offences under the FIO is the proper forum to try the offence of willful default and in this regard in terms of the provisions of section 20(7) once the civil liability of default is established the offence of willfulness can be investigated by the FIA or any other nominated Federal Government Agency. Offences under section 2(g)(ii) and (iii) however are not dependent on the determination of the civil liability and can be investigated in terms of section 20(7) by the nominated government agency. In all such cases the Banking Court will try the offence of willful default as per section 20 of the FIO."*

11. "Syed Mushahid Shah and Others Versus Federal Investment Agency and Others"(**2017 SCMR 1218**)

case is relied by the petitioners but in my opinion, the judgment in the case does not advance support to their stance.

The case was regarding trial of customer(s) under Offences in Respect of Banks (Special Courts) Ordinance, 1984 (*ORBO*).

The Honourable Supreme Court ruled that *ORBO* would not apply to any act or omission which constitute an offence under the *Ordinance*. It has been observed that the *Ordinance* has overriding effect on anything inconsistent contained in any other law for time being in force. A learned Division Bench of Sindh High Court in case titled “Syed Wajahat Hussain Zaidi Versus Banking Court No. 1 and Others” (**2018 CLD 1273**), involving matter of selling hypothecated stocks, permitted the civil and criminal proceedings to proceed concurrently and observed as follows:

“9. The submission of the learned counsel for the petitioner that when the Respondent Bank in Suit No. B-101 of 2013 has, *inter alia*, sought judgment and decree for selling the hypothecated stocks, the criminal complaint No. 17 of 2014 filed on the allegation of selling the hypothecated stocks by the petitioner is not maintainable is totally misconceived. Bare reading of the *Ordinance* reveals that whenever the offence is committed in terms of Section 20, the Banking Court would take cognizance upon a complaint filed by authorized person. Moreover, it is settled principle of law that pendency of civil proceedings relating to same issue is not a bar to commencement or continuation of criminal proceedings and both can proceed concurrently as conviction for criminal offence is altogether a different

matter from civil liability”.

(Underlining added)

12. The Supreme Court in various cases has considered the issue of co-existence of criminal and civil proceedings, in cases involving same set of transaction based on provisions of Pakistan Penal Code, 1860 and contractual civil liabilities. Both are treated as distinct and different. It is concluded that both can proceed concurrently because conviction for criminal cases is different from the civil liability. In the case titled “Seema Fareed and others” (*supra*), following has been observed:-

“4. .... Interpretation placed by Honourable, Judge of the High Court on the provisions of the contract as well as the repealing statute does not suffer from any misconception of law or violation of the settled principles laid down by this Court. It is well-settled that, a criminal case must be allowed to proceed on its own merits and merely because civil proceedings relating to same transaction have been instituted it has never been considered to be a legal bar to the maintainability of criminal proceedings which can proceed concurrently because conviction for a criminal offence is altogether a different matter from the civil liability. While the spirit and purpose of criminal proceedings is to punish the offender for the commission of a crime the purpose behind the civil proceedings is to enforce civil rights arising out of contracts and in law both the proceedings can co-exist and proceed with simultaneously without any legal restriction.”

Further reliance can be placed on case titled

“Haji Sardar Khalid Saleem vs. Muhammad Ashraf and others” (**2006 SCMR 1192**) and “Muhammad Aslam vs. The State and others” (**2017 SCMR 390**).

13. In course of arguments the question also came up for consideration that conclusion of criminal complaint can be fatal for the outcome of civil suit. Mr. Tariq Kamal Qazi, referred to Articles 54 to 57 of Qanun-e-Shahadat Order, 1984. This question has already been addressed in cases titled “The Deputy Inspector-General of Police Lahore and others vs. Anis-ur-Rehman Khan” (**PLD 1985 SC 134**) and “Karachi Transport Corporation and another vs. Muhammad Hanif and others” (**2009 SCMR 1005**). It has been decided that the standard of proof for both branches of law is altogether different. It is appropriate to reproduce the following part of “The Deputy Inspector-General of Police Lahore and Others” case (*supra*):-

“The question of relevancy of judgment as was invoked in this case has been dealt with in sections 40 to 43 of the Evidence Act which have been subject-matter of consideration of this Court in two cases very recently. The one case is of *Muhammad Azam v. Muhammad Iqbal and others* (PLD 1984 SC 95 and the other is a decision in original Appeal No. 192 of 1980 the judgment of which has yet to be published in the law reports. We can only reemphasize the statement of law on the subject in the following words in M. Monir’s Commentary on the Evidence Act (Vol. I, p. 591)

*“A judgment of acquittal in a criminal case only decides that the accused had not been proved guilty of the offence with which he had been charged and to this extent only and no more, it is to be taken as correct and conclusive in a subsequent civil suit between the parties, the opinion and conclusions expressed in the judgment being otherwise irrelevant and inadmissible in such proceedings.”*

*In the case before the Tribunal the judgment in the criminal case could be relevant only for reascertaining whether it was a judgment of conviction or acquittal and whether it was an honourable acquittal. The other opinions or findings, apart from these two, recorded or expressed in the judgment could not be utilised for unsettling the other proceedings. The extent to which the Tribunal utilized the judgment would be apparent not only from the passages reproduced from it but also the comments made on it.....”*

Further reference, if required, can be made to

“Syed Askari Hadi Ali Augustine Imam and Anr. V. State (Delhi Admn.) and Anr.” (AIR 2009 SC 3232).

14. Now I would like to take up the arguments that situation in some cases can be so that the customer may have *bonafide* claim regarding criminal liability being intimately or manifestly connected to the result of civil proceeding. Even if in some cases this rare situation emerges it cannot be desirable to lay any general principle and each case is then required to be examined on its facts. The Honourable Supreme Court in case titled “Salman Ashraf Versus

Additional District Judge, Lahore and Others” (2023 SCMR

1292) has already laid down a guideline for such circumstances, if at all arises. While it is observed that the object of civil proceedings is to enforce civil rights, whereas, criminal proceeding is to punish the offender for committing criminal offence and both even if relating to same matter can proceed simultaneously, it has also been recognized that the criminal courts are empowered to postpone the proceedings when criminal liability is intimately connected with the result of civil proceedings. It will be beneficial to reproduce the relevant extract from the judgment:-

*“...Although there is no bar to the simultaneous institution of both proceedings, the trial in the criminal proceeding may be stopped in certain circumstances. And the guiding principle in this regard is also well-defined. It is that where the criminal liability is dependent upon or intimately connected with the result of the civil proceeding and it is difficult to draw a line between a bona fide claim and the criminal act alleged, the trial in the criminal proceeding may be postponed till the conclusion of the civil proceeding. Thus, where either of these two conditions is not fulfilled, i.e., where the subject matter of civil proceeding and that of criminal proceeding are distinct, not intimately connected, or where the civil proceeding is instituted mala fide to delay the criminal prosecution, not bona fide, the criminal proceeding may not be stayed.”*

*(Emphasis supplied)*

In this regard, learned Sindh High Court in case titled "The State Versus Illahi Bux and Others" (**PLD 1965 (W.P.) Karachi 231**) observed as under:-

*"But I do not think that it can be laid down as a general rule, that whenever an application is made for the postponement of a criminal proceeding upon the ground that the subject-matter is before a civil Court the criminal Court must necessarily reject that prayer upon the sole ground that the judgment of the civil Court will not be binding on it. Neither the answer by the Full Bench to the reference made to them, nor the judgment of Kaikaus, J. in the cases mentioned above lay down this proposition. The criminal Court is empowered under section 344 to adjourn the inquiry or trial upon a reasonable ground. Therefore when an application for adjournment upon the ground of the pendency of the civil suit upon the same subject-matter is made, the question which falls for consideration is whether it constitutes a reasonable ground. That, in my opinion, must be decided upon the facts of each case. The postponement of the proceedings is not a rule of law but a rule of prudence and in doing so the Court is guided by considerations of public interests. The interest of the complainant need not necessarily be the public interest. No hard and fast rule can be laid down. The decision must depend upon the nature of the case, the bona fides of the party moving the application for stay, the conduct of the complainant and his motive in so far as it can be ascertained, the desirability of avoiding long drawn out disputes of civil nature in two Courts side by side in competition with each other and similar other considerations. It is true that the decision of the civil Court would not bind the criminal Court but it may well be that when the parties have obtained an authoritative decision of the civil Court, they*

*themselves might not like to press the matter further in the criminal Court. One of the considerations which has often weighed with the Court, though not decisive, is whether the criminal case had been instituted by the State or by a private party.”*

*(Underlining is added)*

The *Banking Courts* in terms of section 7 of the *Ordinance* have same powers as are vested in a Court of Sessions under Cr.P.C and where the procedure is not provided in the *Ordinance* the provisions of the Cr.P.C. are applicable. Therefore, such power to adjourn or postpone is available to the *Banking Courts* which can be used with caution and remaining within the confines given in “Salman Ashraf” case (*supra*). Such order to postpone or to adjourn the proceedings cannot be made for indefinite period (“Muhammad Amin Versus Momin Khan and 2 Others - PLD 2014 Peshawar 49”).

15. In the titled case as well as the cases mentioned in Schedule ‘A’ to this judgment the petitioners have approached this Court against the orders to summon the petitioners to face criminal proceedings and in some cases even prior to recording of cursory statement(s). The principle that the criminal and civil proceedings can be maintained simultaneously is well settled, as already discussed in detail. The learned counsel for the petitioners despite earnest effort could not convince as to availability of any reason for abridging powers of the *Banking Courts* or not following the

normal procedure of law by the petitioners. I am of the considered opinion that no intervention in the proceedings of the criminal complaints, pending before the *Banking Courts*, is warranted. Consequently, the present petition along with the connected petitions are dismissed. No order as to costs.

(*Sultan Tanvir Ahmad*)  
*Judge*

*Announced in the open Court on 02.02.2024.  
Approved for reporting*

*Judge*

*J.A. Hashmi/-*

**Schedule "A"**  
**List of Cases**

Sr. No.	Case No.	Case Title
1	W.P No. 74623 of 2023	Saad Mushtaq Awan <b>Versus</b> JS Bank Limited and another
2	W.P No. 68339 of 2023	Big Feed (Pvt) Limited and 5 Others <b>Versus</b> Pak Oman Investment Company and another
3	W.P No. 48984 of 2022	A. K Niazi Transport and 2 Others <b>Versus</b> First Punjab Modaraba and 4 Others
4	W.P No. 81814 of 2022	Big Bird Foods (Pvt) Limited and 4 Others <b>Versus</b> Pak China Investment Company and another
5	W.P No. 4796 of 2023	Habib Asghar and another <b>Versus</b> Bank Islami Pakistan
6	W.P No. 42391 of 2023	Allah Ditta Versus Judge, Banking Court and another
7	W.P No. 8847 of 2022	M/s Long Grain Rice Mills (pvt) Ltd. and another Versus NBP and another
8	W.P No. 8404 of 2023	Anjum Rafi and another <b>Versus</b> Judge, Banking Court and another
9	W.P No. 37690 of 2023	Rehman Anwar and others <b>Versus</b> Judge Banking Court and another
10	W.P No. 80344 of 2021	Yasar Ali and another <b>Versus</b> Judge Banking Court and another
11	W.P No. 80335 of 2021	Akhtar Hussain and others <b>Versus</b> Judge Banking Court and another
12	W.P No. 80228 of 2021	Aitzaz Azhar <b>Versus</b> Judge Banking Court and another
13	W.P No. 75327 of 2021	Avais Mazhar Hussain and others <b>Versus</b> Judge Banking Court and another

14	W.P No. 72847 of 2021	Muhammad Shoaib Arshad and another <b>Versus</b> Judge Banking Court and another
15	W.P No. 43651 of 2022	M/s Zulaikha Textile Mills Limited and others <b>Versus</b> Judge Banking Court and another
16	W.P No. 60902 of 2022	Munir Ahmad Bhatti and another <b>Versus</b> Judge Banking Court and another
17	W.P No. 60051 of 2022	Muhammad Usman Rasheed and others <b>Versus</b> Judge Banking Court and another
18	W.P No. 41634 of 2023	Ijaz Asghar Warriach and another <b>Versus</b> Judge Banking Court and another
19	W.P No. 4957 of 2023	Muhammad Shehzad <b>Versus</b> Judge Banking Court and others
20	W.P No. 42388 of 2023	Allah Ditta <b>Versus</b> Judge Banking Court and another
21	W.P No. 8992 of 2022	Sheikh Rehman Anwar & others <b>Versus</b> Judge, Banking Court & another
22	W.P No. 79995 of 2022	Muhammad Umar Virk & others <b>Versus</b> . Judge, Banking Court and another
23	W.P No. 68102 of 2021	Umair Omar & others <b>Versus</b> . Judge, Banking Court & another
24	W.P No. 68777 of 2021	Sheikh Rehman Anwar & others <b>Versus</b> Judge, Banking Court & another
25	W.P No. 68770 of 2021	Noman Almas and others <b>Versus</b> Judge, Banking Court and another
26	W.P No. 79618 of 2022	Umair Omer & another <b>Versus</b> Judge, Banking Court & another
27	W.P No. 19451 of 2022	M/s Wizitex Time Industries Private Limited & others <b>Versus</b> . Judge Banking Court & another

28	W.P No. 9776 of 2022	Muhammad Jahangir Moghul <b>Versus</b> Learned Judge Special Court & another
29	W.P No. 70656 of 2021	M/s City Steel Industries & others <b>Versus</b> Judge, Banking Court & another
30	W.P No. 42392 of 2023	Allah Ditta <b>Versus</b> Judge Banking Court-V and others
31	W.P No. 61309 of 2022	Naeem Omer <b>Versus</b> Judge, Banking Court & another
32	W.P No. 5784 of 2022	Muhammad Iqbal Dagia <b>Versus</b> Judge, Banking Court and others
33	W.P No. 10212 of 2023	Feroze Gulzar and Others <b>Versus</b> Judge, Banking Court and another
34	W.P No. 5753 of 2022	Umair Omer & others <b>Versus</b> Judge, Banking Court and another
35	W.P No. 6123 of 2022	Aftab Liaqat <b>Versus</b> The learned Judge, Banking Court and another
36	W.P No. 4873 of 2023	Imran Khan and others <b>Versus</b> Judge, Banking Court and others
37	W.P No. 79669 of 2021	Muhammad Azhar Akhtar and others <b>Versus</b> Judge, Banking Court and others
38	W.P No. 80054 of 2021	Muhammad Din <b>Versus</b> Judge, Banking Court and another
39	W.P No. 78974 of 2021	Muhammad Umar Virk and another <b>Versus</b> Judge, Banking Court and another
40	W.P No. 80882 of 2021	Masood Ahmad and another <b>Versus</b> Judge, Banking Court and another
41	W.P No. 75627 of 2021	Khawaja Muhammad Jahangir and others <b>Versus</b> Judge, Banking Court and another
42	W.P No. 76913 of 2021	Mushtaq Ali Cheema <b>Versus</b> Judge, Banking Court and another

43	W.P No. 75346 of 2021	Farooq Ahmad Khan, etc. <b>Versus</b> Judge, Banking Court and another
44	W.P No. 42396 of 2023	Allah Ditta <b>Versus</b> Judge, Banking Court and another
45	W.P No. 71955 of 2021	Zafar Ali Zafar and others <b>Versus</b> Judge, Banking Court and another
46	W.P No. 71640 of 2021	Munir Ahmed Bhatti and another <b>Versus</b> Judge, Banking Court and another
47	W. P No. 68099 of 2021	Salman Younas Butt and Others <b>Versus</b> Judge, Banking Court and another
48	W. P No. 82548 of 2023	Mst. Sonia Nadeem and another <b>Versus</b> Judge, Banking Court and Others
49	W. P No. 66429 of 2021	Rana Iqbal Hussain Versus Judge, Banking Court and Others
50	W. P No. 66414 of 2021	Rana Iqbal Hussain Versus Judge, Banking Court and Others
51	W.P No. 72790 of 2021	Muhammad Asad and another Versus Judge, Banking Court and another
52	W. P No. 64071 of 2023	Shafiq Ahmad Versus Judge, Banking Court and Others
53	W. P No. 25363 of 2022	Muhammad Shoaib Arshad and another Versus Judge, Banking Court and another
54	W. P No. 9779 of 2022	Muhammad Jahangir Moghul Versus Learned Judge Special Court and another

*Sultan Tanvir Ahmad  
Judge*

*J.A. Hashmi/-*