



Sindh Judicial Academy

Study to unfold causes of delay in disposal of cases in Banking Courts

About study:

The study is important as it shall aid both the Judicial System and the Banking Sector by saving their precious time and resources. The Court system will be able to benefit by reducing the ever increasing backlog of cases even though the nature of transactions in dispute are well documented; and the Banking sector shall benefit by being able to effect recoveries from the defaulting customers without having to suffer inordinate legal procedural delays.

Main Actors:

- a. Judicial Officers
- b. Advocates of either side.
- c. Parties.
- d. Court staff (Registrar, Reader, Nazir etc.)

The study would identify lacunae's with respect to specific roles of players within the Court system from the stage of institution of cases to the final adjudication of cases. It may also identify the causes of delay in disposal of cases in the banking Courts general.

Objectives of the study:

1. To study the volume and nature of cases finally decided in a sample period in the banking courts and the reasons of procedural delay in accordance with the requirements of each type i.e.
 - a. Financing under Conventional banking.
 - b. Financing under Islamic banking.
2. To analyze the outcomes of the study in order to make recommendations as regards Trainings for the specific players as to how they should perform their respective roles within a specified time frame; what are the things to be avoided.
3. To identify bottleneck in existing legislation and suggest recommendations in parent legislation and in the form of enactment of rules.

Expected outcome:

The study beside legislative suggestions may also recommend innovations needed in banking court system thereby facilitating the Financial Institutions and the customers such as e-filing, accessibility of data and Court record electronically, one window operation system, grievance redressal mechanism, effective monitoring system.

Expected completion time:

January 2018