

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

1. CTA No.21 of 2017.

2. CTA No.22 of 2017.

DATE	ORDER WITH SIGNATURE OF JUDGE
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22.12.2017.

Mr. Shoukat Ali Kaka, Advocate holding brief on behalf of Mr. Ghulam Shabbir Shar, Advocate for applicant.

Mr. Niaz Hussain Abro, Advocate for respondent No.6 in CTA No.21 of 2017 and for respondent No.14(a) to (d) in CTA No.22 of 2017.

Mr. Aamir Ali Memon, Advocate for respondents No.1 to 7 in CTA No.22 of 2017.

Mr. Wali Muhammad Jamari, Assistant A.G.

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Instant civil transfer applications were filed for transfer of Civil Appeal No.77/2010 (in CTA No.21 of 2017) from the Court of IVth Additional District Judge, Daud and F.C. Suit No.89/2017 (in CTA No.22 of 2017) from the Court of Senior Civil Judge, Dadu to any other Court(s) having jurisdiction at Hyderabad/Kotri. Notices were issued to other side and also comments were called from the concerned Presiding Officer, which are received and available on record.

2. Both these matters were heard on 17.11.2017 and thereafter on 24.11.2017. Learned counsel for the applicant has relied upon the grounds as taken up in the memo of transfer applications; primarily being that the applicant has lost trust on the Presiding Officers as he understands that other side has good terms with the said Presiding Officers. Unfortunately, mere leveling allegations without any substance / basis the transfer of the proceedings as desired in the matters cannot be allowed. The authorities relied upon by the learned counsel also cannot be considered in these matters as mere understanding without any basis of a party that he will not be able to obtain justice cannot made a ground for transfer of some proceedings from one court to another court.

In view of above, the instant civil transfer applications stand dismissed, however, with no orders as to costs.

JUDGE

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