

**ORDER SHEET**  
**IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR**

**Civil Transfer A.No.S- 17 of 2021**

Date of hearing	Order with signature of Judge.
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**Fresh Case**

- 1.For orders on CMA 815/21
- 2.For orders on office objection
- 3.For orders on CMA 816/21
- 4.For hearing of Main Case
- 5.For orders on CMA 817/21

**25-10-2021**

Mr. Iftikhar Ali Arain Advocate for the Applicants.

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1. Urgency granted.

2 to 5. Through this Civil Transfer Application, the Applicants seek transfer of Civil Appeal No.35 of 2021 (Basheer Ahmed v. Qadir Bux and others), pending before the Court of learned Additional District Judge (II), Ghotki.

Counsel for the Applicants submits that the Appellate Court has passed certain orders including orders dated 07.08.2021 and 07.09.2021, which are not in accordance with law, as the Appellate Court cannot go into any enquiry or inspection and these orders have seriously prejudiced the Applicants, hence this Transfer Application.

I have heard learned Counsel for the Applicants and perused the record. Insofar as passing of above orders is concerned, this alone cannot be a ground to maintain the Transfer Application, as

the Applicants can always challenge such orders in accordance with law. As to the conduct of the Appellate Court, it is open for the Applicants that as and when a final order / judgment is passed, to impugn the same including any illegality allegedly committed by the Appellate Court.

In view of such position, this Civil Transfer is not maintainable and the same is hereby dismissed with pending applications.

**JUDGE**

Ahmad