

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

CTA No.30 of 2023

DATE	ORDER WITH SIGNATURE OF JUDGE
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For hearing of CMA No.2529/2023
For hearing of main case

03.11.2023

Mr. Khurram Inam Ghouri advocate for applicants.

Mr. Rashid Nizam Arain advocate files vakalatnama on behalf of Respondents No.2 to 11, which is taken on record.

This is a civil transfer application and the entire case articulated by the applicants' learned counsel is that the applicants are aggrieved by an order, dated 06.07.2023 rendered by the Court of Rent Controller-II Hyderabad in Rent Application No.118/2020 and the same has been assailed in C.P. No.S-299/2023, not determined till date. The entire claim before this Court in these proceedings is to restrain the Rent Controller from proceeding with Rent Application No.118/2020 pending adjudication of C.P. No.S-299/2023.

At the very onset, counsel was confronted as to maintainability as, notwithstanding the pleadings, no transfer of any case from a court to another was being sought. Furthermore, if a petition was pending in regard to the order assailed then why had the applicant not sought relief in the relevant proceedings. The counsel remained unable to articulate a cogent response on either count.

It is the considered view of this Court that no case is made out to entertain this matter; as the pleaded prayer for transfer, eschewed in arguments, does not merit consideration upon the grounds stated in the memorandum of application; and interference in a matter admittedly sub judice before the Court in independent proceedings could not be entertained in the present proceedings.

In view hereof the present civil transfer application is dismissed along with pending application.

Judge