

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Civil Transfer Application No. 34 / 2023

Date

Order with signature of Judge

HEARING / PRIORITY.

- 1) For hearing of Misc. No. 3948/2023.
- 2) For hearing of main case.

25.10.2023.

Mr. Khaquan Babar Mughal, Advocate for Applicant.
Muhammad Imran Respondent No. 2 in person.

Pursuant to order dated 13.10.2023, Respondent No. 2 is in attendance and submits that he will not engage a Counsel and will assist the Court in person.

Through this Civil Transfer Application, the Applicant seeks transfer of Guardian & Ward Application No. 1992/2022 and Family Suit No. 391/2023 from the Court of XIth Family Judge Karachi Central to any other Court. While confronted as to filing of Civil Transfer Application in respect of two different cases, Counsel submits that both cases have been consolidated and in support thereof he has referred to the diary sheet at Page 9.

On perusal of the record and the arguments so made by the Applicant's Counsel, it appears that the primary grievance as shown in the memo of present application is that some orders have been passed by the concerned Judge in respect of the meeting of the minor which according to the Applicant were against the law and have been set aside whereas, matter has been remanded to the same Court; hence, it ought to be transferred to any other Court.

I am afraid seeking transfer of a case on this ground is not appreciable and is not within the ambit of law. It may further be noted that it is neither a right nor a choice of the litigating party to select a particular Court for adjudication of a case. At best, if aggrieved, the Applicant can file an Appeal against any such final order.

In view of the above, this Transfer Application is misconceived and is hereby dismissed with pending application(s).

Arshad/

J U D G E