

ORDER SHEET
THE HIGH COURT OF SINDH AT KARACHI

C.T.A No. 67 of 2022.

Date: Order with signature(s) of the Judge(s)

Hg. of Case.

1. For Orders on Office Objection at flag 'A'.
2. For Hearing of Main Case .

07th November, 2022.

Mr. Zia-ul-Makhdoom advocate for the applicant.
Ms. Seema Zaidi, Addl. P. G. Sindh.

Mr. Abdul Shakoor Memon advocate files Vakalatnama on behalf of Respondent No.1, which is taken on record.

At the outset learned counsel for Respondent No.1 contends that he has no objection if Family Suit No. 106/2022 [R. Saadia Sajjad & Ors Vs. Ali Ashgar Memon] is transferred from the court of Civil Judge & Judicial Magistrate-IV, Malir Karachi to Civil Judge & Judicial Magistrate-III, Malir Karachi wherein two others matters are pending, however, both suits were consolidated and directions were issued in Constitution Petition by this court for decision thereto within one month but learned trial court has failed to decide the same within stipulated period. Be that as it may, rule of proprietary demands that all cases between the same parties shall be decided by same court. Accordingly, decide the consolidated suit within the spirit of order by this court in petition preferably within one month as well as shall decide present Family Suit No. 106/2022 within two months. Learned trial court would be at liberty to consider the evidence of the parties in shape of affidavit, if learned counsel for respective parties is agreed before the trial court.

In view of above, instant Civil Transfer Application is disposed of.

JUDGE