

# THE HIGH COURT OF SINDH, CIRCUIT HYDERABAD

## Civil Transfer Application No. S-27 of 2026

Applicant: Raheel Gaddi s/o Abdul Razzaq  
through Mr.Maqsood Ahmed Sahito, Advocate

Respondent: Mst.Memona. Nemo

Date of Hearing: **21-10-2026**

Date of Order: **21-10-2026**

### **ORDER**

**MUHAMMAD HUMAYON KHAN-J**, Applicant seeks transfer under Section 25-A of the Family Courts Act, 1964, of Family Suit Nos. 789 and 2336 of 2022 and Guardian and Wards Application No. 251 of 2022, pending before the learned Family/Guardian Judge-V, Hyderabad. He alleges that the Presiding Officer favours the respondent, insisted that he continue to pay interim maintenance despite the minor not being produced for meetings and enhanced interim maintenance to Rs.20,000/- by order dated 26.05.2025 despite his objection.

2. The comments submitted by the learned Presiding Officer on 20.10.2026, read with the record, do not support these allegations. By order dated 18.07.2023, the applicant was permitted to meet the minor and meetings did take place. The respondent's application seeking cancellation of those meetings, on the allegation that the applicant had abused the minor, remains pending. The interim maintenance was enhanced after hearing both sides; the order dated 26.05.2025 was not challenged. Evidence of both sides was closed for default and later restored on their respective applications. Despite further opportunities, the applicant did not produce his witnesses and his evidence was closed by orders dated 02.04.2026 and 18.09.2026. The matters are now fixed for post-trial reconciliation and arguments.

3. I have heard learned counsel for the applicant and have considered the record. Apart from his dissatisfaction with orders passed

during the proceedings, no material has been shown to substantiate the allegation of partiality or to suggest that the matters cannot be fairly decided by the court seized of them.

4. The grievance is founded on interlocutory and procedural orders passed in the course of the proceedings. The fact that an order is adverse to a party does not, by itself, establish bias. The enhancement order could have been challenged in accordance with law, but it was not. The grievance concerning meetings with the minor remains subject to the respondent's pending application, which the trial court has yet to decide. The record shows that both sides were afforded opportunities; evidence was closed on default and restored on applications. The matters have now reached the stage of post-trial reconciliation and arguments. In these circumstances, no sufficient ground has been shown to withdraw them from the court already seized of them. The applicant must appear before that court and pursue his case. A transfer at this stage would interrupt the proceedings and further delay their conclusion, including determination of matters concerning the minor's welfare.

5. For these reasons, the transfer application is **dismissed**. The applicant shall appear before the learned Family/Guardian Judge-V, Hyderabad and participate in the further proceedings. The learned Judge shall proceed in accordance with law and decide the matters expeditiously, preferably within sixty days. The applicant's grievance concerning access to the minor and the respondent's pending application shall be considered on their own merits. The observations in this order are confined to the transfer application and shall not affect the merits of the pending proceedings.

**JUDGE**