

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Civil Transfer Application No.25 of 2026

Date

Order with Signature(s) of Judge(s)

1.For hearing of CMA No.2424/2026.

2.For hearing of main case.

05.08.2026

Mrs. Samira Mahamadi, Attorney of the applicant, present
in person.

Through the instant Civil Transfer Application, applicant/decreed holder seeks transfer of Execution Application No.18/2025 from the Court of VIth Senior Civil Judge Karachi-East, to any other competent Court within the same District.

Notice of the instant Civil Transfer Application was issued to respondent/J.D. but he failed to make his appearance before this Court.

Mrs. Samira Mahamadi, the attorney of the applicant/decreed holder, states that the applicant being annoyed of the conduct of the Presiding Officer of the Executing Court, whereby she refused to attach the moveable property i.e. vehicle owned by the respondent/J.D., has lost his faith in Presiding Officer to the extent that he apprehends that he will not get justice and right to expeditions fair trial. She further states that applicant also maintained an application before the Executing Court seeking injunctive order against the disposal of the vehicle of the respondent/J.D; however, the same was not taken on record by the Court staff in order to facilitate the respondent/J.D.

Heard record perused.

It appears from the perusal of the record that the applicant filed application for attachment of vehicle allegedly owned by the respondent/J.D. and another application for seeking injunctive order restraining the respondent/J.D. from selling his vehicle, which have apparently not been decided or entertained by the Executing Court despite verification of the ownership of the alleged vehicle from Excise Department, as per the contention of the applicant. In such circumstances, it is clear that a reasonable apprehension has arisen in the mind of the applicant/decreed holder that he would not get expeditious justice from the present Executing Court irrespective of the fact that the impartiality of the Presiding Officer cannot be doubted. In such circumstances, instant Civil Transfer Application is allowed. Consequently, Execution Application No.18/2025 is withdrawn from the board of the said Executing Court with direction to learned District Judge Karachi-East to assign it to any other Court of Senior Civil Judge of the said District for its disposal in accordance with law.

The instant Civil Transfer Application is disposed of in the above terms alongwith listed application.

CHIEF JUSTICE

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