

Order Sheet
IN THE HIGH COURT OF SINDH,
BENCH AT SUKKUR

Crl. Transfer Application No.S-14 of 2024
Crl. Transfer Application No.S-15 of 2024

Date of hearing	Order with signature of Judge.
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Hearing of Case

- 1.For orders on office objections.
- 2.For hearing of main case

23-02-2024

Mr. Muhammad Suleman Kalhoro, Advocate for applicants in both matters.

Mr. Aftab Ahmed Shar, Additional P.G for the State.

ORDER

MUHAMMAD IQBAL KALHORO J.- These applications have been filed for transfer of sessions case No.802 of 2023 (re: *State-Versus Ali Gul Mashori & others*) and sessions case No.841 of 2023 (re: *State-Versus Ashraf Mashori & others*), which by impugned order dated 09.01.2024, already pending before the Court of Additional Sessions Judge-II, Naushahro Feroze, were transferred to the Court of Additional Sessions Judge, Moro on applications filed by the respondents.

2. Learned counsel for applicant submits that cases were already pending before the Additional Sessions Judge, Moro and have been misjudgingly transferred to the Court of Additional Sessions Judge-II, Naushahro Feroze on the applications of private respondents and that learned Sessions Judge had no jurisdiction to pass such order, as he had already on administrative side transferred the cases to the Court of Additional Sessions Judge-II, Naushahro Feroze.

3. His arguments have been opposed by Mr. Achar Khan Gabol, Advocate, who has filed powers on behalf of private respondents in both matters today so also leaned Additional P.G. They unanimously submit that the cases cannot be transferred after every few days from one Additional Sessions Judge to other Judge as it would cause ripples in the judicial system and the people would start losing faith over it.

According to them, there is no allegation against the Additional Sessions Judge of any dishonesty or any other legal obstruction before him to proceed with the cases. Hence, no ground is made out for transfer of sessions cases, not the least when both the parties are resident of Moro. I agree with the propositions raised by learned Additional P.G and find these Transfer Applications being devoid of any merit and accordingly **dismiss** them.

These Crl. Transfer Applications are **disposed of** accordingly.
Office to place a signed copy of this order in captioned connected matter.

JUDGE

Ahmad