

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

**Suit No.570 of 2018**

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
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1. For orders on CMA No.655/2023 (U/R-110).
2. For orders on CMA No.656/2023 (U/S 151 CPC).

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**Dated 18.01.2023**

Mr. M.R. Sethi, Advocate for defendant No.5.

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1. Urgency granted.
2. This application has been filed by defendant No.5 to obtain an order of transfer of this matter to the Civil Court of District (Karachi), which now by virtue of an amendment in the Sindh Civil Courts Act, 2011 enjoys the enhanced pecuniary jurisdiction upto 65 million vide amendment notification dated 28<sup>th</sup> December, 2021.

I have heard learned counsel for defendant No.5 and perused the material available on record.

This suit was filed on 17.03.2018 when pecuniary jurisdiction of this Court was set in respect of amount that exceeds 15 million, as was in this suit, the suit was entertained and number was assigned and notices were issued. Subsequent enhancement of pecuniary jurisdiction of the Civil Courts of district Karachi including District East will not attract the jurisdiction in this case since at the relevant time the pecuniary jurisdiction was lawfully and rightly invoked. Consequential amendment under the ibid Act will not have a retrospective effect unless otherwise legislated accordingly in this regard, hence the instant application is misconceived and is dismissed.

JUDGE

Ayaz Gul