

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

Civil Transfer Application No.S-16 of 2021

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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For hearing of main case.

05.11.2021.

Mr. Zamir Ahmed Kalhoro, Advocate for applicant.

Mr. Aamir Ali Memon, Advocate files power on behalf of respondent No.1, which is taken on record.

Mr. Muhammad Ismail Bhutto, Additional A.G.

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MUHAMMAD IQBAL KALHORO. J,- Applicant has filed this application, seeking transfer of F.C. Suit No.158 of 2019 pending before Senior Civil Judge, Golarchi at Badin to any Senior Civil Judge at Hyderabad.

2. I have heard learned Counsel for the applicant. He submits that applicant has lost faith on all the judges working under District & Sessions Judge in District Badin. He further submits that Senior Civil Judge, Golarchi, before whom suit is pending is favouring the respondent(s) and therefore suit be transferred to District Hyderabad; and that the applicant has no confidence in the learned Presiding Officer / trial Judge as he is biased against applicant.

3. No case for transfer of civil suit is made out on the ground as above. Learned Counsel has not been able to satisfy the reason of losing faith on all Judges of District Badin. This ground taken by the applicant that he has lost faith on all the judges working in District Badin cannot be allowed to undermine the well entrenched justice system just because applicant feels so. Absence of any material to show biasness or interest of the Presiding Officer in F.C Suit confirms that this application from the very inception was non-maintainable. In any case, I have found instant application meritless and dismiss it accordingly.

JUDGE

Shahid