

ORDER SHEET

**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**  
**Civil Transfer App. No. S – 42 of 2024**

Date of hearing	Order with signature of Judge
1.	For orders on CMA No.1955/2024
2.	For orders on CMA No.1956/2024
3.	For hearing of main case.

**16.12.2024**

Mr. Sikandar Sadar Siddiqui, Advocate for applicant.

1. Granted.
2. Granted subject to all just exceptions
3. At the outset, learned Counsel representing the Applicant submits that the Applicant has filed a Family Suit No.84 of 2024 for dissolution of marriage by way of *Khula* before 2<sup>nd</sup> Civil / Family Judge, Sukkur, which was admitted on 17.09.2024, when notices were issued to the Respondent for his appearance on 05.10.2024. However on 05.10.2024, when matter was called, learned Presiding Officer was on leave and since then, matter could not be proceeded on such ground. To substantiate his claim, he referred case diaries of learned trial Court, available at pages-21 & 23, which reflect that Presiding Officer was either on leave or absent. At the end, he submits that learned Presiding Officer has been promoted to his next position, hence prays for transfer of Family Suit to another competent Court of law having jurisdiction so that matter may be heard and decided at an earliest.

Contentions raised by learned Counsel requires consideration. Since the matter pertains to the grant of *Khula*, which is inherently of a sensitive nature as it involves the dissolution of a marital bond, it necessitates prompt and expeditious disposal as the delays may intensify animosity between the parties, making reconciliation or a peaceful resolution even more challenging. Moreover, if children are involved, they may suffer from instability, emotional distress, or a lack of proper parental support. The perusal of diary sheets confirms the contention of the learned Counsel that the Presiding Officer may have been promoted, leaving the Court vacant.

In the circumstances, this criminal transfer application is **disposed of** with direction to learned Sessions Judge, Sukkur to transfer Family Suit No.84/2024 (*Re: Mst. Anila versus Nadeem*) to any other Court having jurisdiction so that matter could be decided at an earliest.