

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
Civil Transfer Application No.22 of 2026

Date	Order with signature(s) of Judge(s)
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- 1. For hearing of CMA No.1501/26.
- 2. For hearing of main case.

01.09.2026

Applicant present in person.
Mr. Z.U. Mujahid, Advocate for Respondent No.4(v).
Mr. Mehran Khan, AAG.

Through the instant Civil Transfer Application, the Applicant seeks withdrawal of Civil Suit No.21/2005, filed by him, from the Court of VIIth Senior Civil Judge, Karachi-South, and its transfer to the Court of Ist Senior Civil Judge, Karachi-South, where Suit bearing old No.816/2000 and new No.4798/2025 (hereinafter referred to as “Suit bearing new No.4798/2025”) is pending adjudication.

The Applicant, present in person, states that Suit No.21/2005 is connected with Suit bearing new No.4798/2025; hence, in view of the directions of the then Acting Chief Justice of this Court, as reflected in letter dated 24.05.2025 (*available as Annexure A/1 of the file at page 31*), communicated to the District & Sessions Judges to conduct a meeting of Senior Civil Judges to the effect that all connected/consolidated suits should be tried by one Court and, in case suits are assigned to different Courts, the same may be assigned to the same Judge by exercising administrative powers, the Applicant approached the District Judge, Karachi-South, by moving an administrative transfer application; however, the same was declined by the District Judge vide order dated

07.01.2025, directing him to file a proper application on the judicial side as per law. He further states that, since Suit No.21/2005 is connected with Suit bearing new No.4798/2025, it will be in the interest of justice that both the said suits be proceeded with and decided by the same Court.

On the other hand, learned counsel appearing on behalf of Respondent No.4(v) and learned AAG state that the Applicant's Suit No.21/2005 has no nexus with Suit bearing new No.4798/2025; therefore, the instant application is liable to be dismissed, being misconceived.

Heard. Record perused.

It may be observed that for making the suits "connected", the suits should be dealt with the same property or contract, etc.; share similar parties, having common or same question of law or fact and the witnesses and document needed to be produced and proved the cases are legally the same. The purpose of connecting such suits is to avoid conflicting judgments on common issues arisen out of inter-connected facts or pleadings between the common parties.

It reflects from the record that the Applicant has filed Suit No.21/2005 against the Respondents herein for declaration, cancellation, mandatory and permanent injunction in respect of Plot No.34, Block-B, located in Gulshan-e-Faisal Cooperative Housing Society, while Suit bearing new No.4798/2025 was filed by one Riazuddin Raju for declaration, cancellation and permanent injunction in respect of Plot No.33, Block-B of the said Society, initially against Respondent No.2 and Respondent No.4, wherein later the name of Respondent No.4 was

struck out vide Court's order dated 14.11.2019. Hence, it is an admitted position that, at present, the said Suit is between one Riazuddin Raju and Respondent No.2-Society, wherein the Applicant and Respondents No.1 & 3 were/are not parties; so also, after striking out his name, Respondent No.4 is also not a party. Hence, under no stretch of imagination could it be assumed that Suit bearing new No.4798/2025 is a connected suit with the Applicant's Suit No.21/2005.

For the foregoing facts and reasons, the instant Civil Transfer Application, being devoid of merit, is dismissed accordingly, along with the listed application.

CHIEF JUSTICE

Tahseen/PS