

ORDER SHEET.
IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

Transfer Application No. 02/2025

Zaryab Qayyum and another
Versus

Muhammad Usman Safdar, etc.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
(02)	13.02.2025	Raja Sibtain Khan, Advocate for applicants.

As per office report, notice issued to respondent No.1, has been served, despite whereof, no one is in attendance on his behalf, therefore, he is proceeded *ex-parte*.

2. Through this application, the applicants have prayed for transfer of suit titled *“Muhammad Usman Safdar Vs. Ms. Zaryab Qayyum”* for *restitution of conjugal rights and access to minor son*, from the Court of learned Senior Civil Judge Family Court (West), Islamabad to the Court of learned Judge Family Court (East), Islamabad.

3. Learned counsel for the applicants contends that the applicant seeks the transfer of the suit titled *"Muhammad Usman Safdar Vs. Ms. Zaryab Qayyum" (for the reinstitution of conjugal rights and access to the minor son)*, filed on 16.11.2021, from the Court Ms. Danish Batool Mashori/learned Senior Civil Judge Family Court (West), Islamabad, on the grounds that the applicant's suit titled *"Zaryab Qayyum and another Vs. Muhammad Usman" (for the recovery of maintenance, recovery of delivery expenses, and dower amount)*, filed on 30.09.2024, is already pending before the Court of Mr. Muhammad Naveed Khan/learned Senior Civil Judge/Guardian Judge

(East), Islamabad, and was filed prior to the suit filed by respondent No. 1.

3. I have gone through the record appended by the applicant with this application, which reflects that the earlier suit was filed by the applicant, Zaryab Qayyum. Therefore, while exercising the powers conferred by Section 25 of the *Family Court Act, 1964*, the suit titled "*Muhammad Usman Safdar Vs. Ms. Zaryab Qayyum*" (*for the reinstitution of conjugal rights and access to the minor son*), filed on 16.11.2021, pending before the Court of Ms. Danish Batool Mashori, learned Senior Civil Judge Family Court (West), Islamabad, is hereby transferred to the Court of Mr. Muhammad Naveed Khan, learned Senior Civil Judge/Guardian Judge (East), Islamabad, in order to avoid conflicting judgments.

4. Instant Transfer Application stands DISPOSED OE, in above terms.

(MOHSIN AKHTAR KAYANI)
JUDGE