

SINDH ACT NO.II OF 1997

THE WEST PAKISTAN FAMILY COURTS (SINDH AMENDMENT) ACT, 1997

[15th September, 1997]

An Act to amend the West Pakistan Family Courts Act, 1964, in its application to the Province of Sindh.

WHEREAS it is expedient to amend the West Pakistan Family Courts Act, 1964, its application to the Province of Sindh, in the manner hereinafter appearing;

Preamble.

It is hereby enacted as follows:—

1. (1) This Act may be called the West Pakistan Family Courts (Sindh Amendment) Act, 1997.

Short title and commencement.

(2) It shall come into force at once.

2. In the West Pakistan Family Courts Act, 1964, in its application to the Province of Sind; after section 25 the following new section shall be inserted:—

Insertion of Section 25-A in the Pakistan Family Courts Act, 1964.

25-A Transfer of cases

(1) Notwithstanding anything contained in any law, the High Court may either on the application of any party or on its own accord, by an order in writing.

(a) transfer any suit or proceedings under this Act from one Family Court to another Family Court in the same district or from a Family Court of one district to a Family Court of another district and

(b) transfer any appeal or proceedings under this Act from the District Court of one district to the District Court of another district.

(2) Any court to which a suit, appeal or proceedings is transferred under the proceeding sub-section, shall, notwithstanding anything contained in this Act, have the jurisdiction, to dispose it of in the manner as if it were instituted or filed before it;

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Provided that on the transfer of a suit, it shall not be necessary to commence the proceeding before the succeeding Judge de novo unless the Judge, for reasons to be recorded in writing, directs otherwise."

3. The West Pakistan Family Courts (Sindh Amendment) Ordinance, 1997 is hereby repealed: