

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT LARKANA
C.P.No.S-260 of 2025
(Mst. Rehana Khaskheli v/s. S.H.O. P.S. Rehmatpur & Ors)

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For orders on office objections at flag "A".
2. For hearing of main case.

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01.09.2025

Petitioner Mst. Rehana Khaskheli, present in person.

Syed Fida Hussain Shah, Advocate for the Respondents.

Mr. Munwar Ali Abbasi, Assistant Advocate General, Sindh.

Mr. Sardar Ali, Deputy Prosecutor General, Sindh a/w SIP
Ghulam Asghar, S.H.O. P.S. Market.

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NISAR AHMED BHANBHRO, J.:- It is the case of the petitioner that she was married to Abdul Ghaffar, respondent No.9 in the present proceedings and out of such wedlock two children namely Baby Isra Batool and Rehan Ali were born,, they are now aged about 5 and 1 ½ years respectively. She contends that respondent No.9 Abdul Ghaffar has contracted second marriage and ousted her from the house and since last more than three months she is residing in Dargah Qaim Shah Bukhari, in Larkana City as she was not having any shelter.

On notice, the private respondents appeared before this Court, through their counsel Syed Fida Hussain Shah, advocate, who has filed his vakalatnama today. The respondents manifested their unwillingness to take the petitioner to their home; they even denied the payment of maintenance to the minors. They even arrogantly levelled allegations over the modesty of the petitioner that she was not a chaste lady and was not residing in the house with the parents or husband. The arrogant attitude of the respondents reflected that they were not willing to accept the petitioner, therefore, she was leading a deserted life alongwith her two minor children and per her stance she was residing in the Dargah Qaim Shah Bukhari, Larkana.

It is responsibility of the husband to provide shelter to the wife and the maintenance to the minors. The father in absence of the husband is also responsible to give her daughter shelter, but both the parties are unwilling to perform their obligations. On the contrary, they are staining the character of the lady, which under no circumstance is acceptable.

Syed Fida Hussain Shah, learned counsel for the respondents submits that husband of the lady is a labourer; he hardly earns an income of Rs.20,000/- per month and he affords six children from other wife. This contention cannot be approved as if he is capable of maintaining the children from other wife, the question arises, who will maintain these two children. The desertion of a women and children has been recognized as crime under the penal law of the country, but the people still do not oblige the law due to the zero enforcement of such laws on ground.

As an interim arrangement, respondent No.9 is directed to provide monthly maintenance of Rs.4000/- per month to the mother for each child in all Rs.8000/-. The father of petitioner namely Allah Dino is also in attendance; he undertakes that he will provide shelter to the lady in his house subject to the condition that she confirms to the ethics and does not create disturbance in the house. The petitioner is accordingly directed to obey her parents and while residing in their house shall ensure that no untoward incident on her part takes place. Respondents Abdul Haq and Allah Dino are directed to take the Petitioner to their home and allow her to stay over there. In case of any loss caused to the petitioner, the local police shall take immediate action against the private respondents. The S.H.O P.S. Market is directed to ensure that no harm is caused to the petitioner and he shall communicate this Court's order to S.H.O concerned, where the parties are residing.

The petition is disposed of with directions to the S.S.P.Larkana to ensure that no harm is caused to the petitioner. Office is directed to send copy of this order to S.H.O. P.S. Illahi Bux Sial and S.S.P. Larkana by fax today for compliance.

Judge

Manzoor