

ORDER SHEET
**IN THE HIGH COURT OF SINDH,
CIRCUIT COURT HYDERABAD**

CP No. S- 860 of 2017

DATED **ORDER WITH SIGNATURE OF JUDGE**

2.6.2017

1. For orders on office objection
2. For katcha peshi

Mr. Nazeer Ahmed Leghari, Advocate for petitioner
Mr. Shahnawaz Brohi, files power on behalf of respondent No.4 Ashique.
Mr. Ashfaq Nabi Qazi, Asstt: A.G. a/w Ghulam Shabbir Chandio, PS

Badin

Pursuant to this court order dated 29.5.2017 Mst. Fatima (earlier called as Laima) is present along with respondent No.4 and she claims that respondent No.4 is her current husband. The counsel for petitioner submits that the lady was four months pregnant with petitioner when she contracted marriage with respondent No.4 Ashique. When asked by the court, the lady affirmed that she is 07 months pregnant. While the counsel for petitioner alleged that the unborn child is from the wedlock between petitioner Sajid and Fatima, however, this fact is denied by her new husband Ashique.

In the given circumstances when Mst. Fatima is already 07 months pregnant, therefore, in the best of interest of Mst. Fatima and unborn child, the parties have agreed that Mst. Fatima may live with a person of her own choice and once the baby is born and if the petitioner continue to claim to be the father of the newly born child, he should approach the family court by filing suit for declaration that he is father of the newly born child and the family court after scientific examination of DNA etc would determine paternity of the newly born child.

As far as the prayer made in the instant petition where in terms of prayer-1 a request was made for the production of Mst. Fatima and she to be live at her own choice, those already having taken place. Now the rival parties are alleging harassment against each other and seeking protection.

The instant petition is accordingly disposed of with direction to the official respondents to not to cause any harassment to Mst. Fatima and her new husband respondent No.4 Ashique and use all their endeavours that full protection is provided to Mst. Fatima against any illegal threat from the rival

party, so as the petitioner undertakes that he will not cause any harassment to Mst. Fatima and her new husband respondent No.4 Ashique. The respondent No.4 as well as Fatima undertake to be fully responsible to as much as possible to ensure that the baby is delivered safely.

With these orders the instant petition is disposed of.

Learned A.A.G. is directed to make all necessary arrangements so that Mst.Fatima and her new husband should reach their destination safely today.

JUDGE

karar_hussain-memon/PS*