

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

Cr. Misc. A. No. S- 151 of 2017

DATED	ORDER WITH SIGNATURE OF JUDGE
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15.6.2017

1. For orders on office objection
2. For hearing

Mr. Ali Nawaz Chandio, Advocate for applicant

Mr. Shahzado Saleem Nahiyoon, D.P.G. along with Insp. Sohail Sarwar,
ASI Syed Kamal Shah PS A-Section.

Comments have been filed by respondents 1 and 2, which are taken on record. Mr. Bilawal Bajeer Advocate files power on behalf of respondent No.3, which is taken on record.

In compliance of the order passed on 9.6.2017, all three minors viz. baby Ayesha (aged 01 year), baby Sahiba (aged 03 years) and master Sameer (aged 06 years) have been produced by SHO PS A-Section, Latifabad, Hyderabad. Respondent No.3 / father, who is present in person, states that the order dated 10.12.2016 passed by learned Guardian Court whereby he was directed to hand over custody of all the minors to the applicant / mother was passed *ex parte* against him, and as such the said order was not within his knowledge. He further states that he has filed an application for setting aside the said *ex parte* order, which application is pending. Since the order of the learned Guardian Court directing respondent No.3 to hand over custody of the minors to the applicant is admittedly in the field, respondent No.3 has handed over custody of all the above three minors in court to the applicant / mother. He requests that he should be allowed to have visitation rights in respect of the minors, and submits that he has handed over custody without prejudice to his right to have the above order set aside. He may approach the learned Guardian Court for visitation rights which may be decided in accordance with law after hearing the parties.

Since the application has served its purpose, the same stands disposed of.

JUDGE

karar_hussain-memon/PS*