

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

C.P.No.S-180 of 2012.

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For katcha peshi.
2. For orders on M.A-6827 of 2012.

26.03.2018.

Mr. Nizamuddin H. Pirzada, Advocate for the petitioner.

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Counsel for the petitioner submits that his only grievance is that the Courts below ordered return of gold ornaments. Counsel next submits that his client has already deposited the dower amount as well as regularly paying the maintenance. He refers to prayer clause of the family suit as well as the examination-in-chief of the respondent No.1 and submits that nowhere in these two essential documents she claimed the gold ornaments. A review of the prayer of the respondent No.1 shows that all she prayed for was for maintenance for herself and her minor son as well as return of the dower amount of Rs.50,000/-. A review of the prayer made in the instant petition suggests that the petitioner is denying a claim of Rs.200,000/- from the respondent No.1. The contentions of the counsel appear to be just as neither in the family suit nor in the statement made by respondent No.1, any claim for payment of Rs.200,000/- is made.

In the given circumstances, it is affirmed that the respondent No.1 is only eligible to the claim made by her in the family suit as of the payment of dower amount of Rs.50,000/- and the maintenance, which has been awarded through the Family Court's judgment dated 30.07.2011. If the respondent No.1 has any other claim she may seek appropriate remedy through civil Court.

The petition is accordingly disposed of in above terms alongwith listed application.

JUDGE