

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD

C.P.No.S- 392 of 2020

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DATE

ORDER WITH SIGNATURE OF JUDGE(S)

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1. For orders on office objection.
2. For hearing of main case.

03.11.2020

Petitioner Mst. Gudi present in person alongwith her husband Mureed.

Mr. Muhammad Ismail Bhutto, Additional Advocate General, Sindh alongwith SIP Aijaz Ahmed Soomro SHO P.S Matiari.

Ms. Rameshan Oad, A.P.G.

Mr. Ghulam Shabbir Marri, Advocate alongwith respondents No.4 and 5.

Alleged detainee Mst. Samina is present in person alongwith her husband Mumtaz Ali.

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Pursuant to directions contained under earlier order dated 15.10.2020, Mumtaz Ali, said to be husband of Mst. Samina, has got prepared his CNIC bearing No.41504-0585926-1, issued on 20.10.2020 (original seen and perused then returned to its incumbent / Mumtaz Ali).

Learned AAG submits that alleged detainee, who was also present before the Court on last date of hearing had categorically stated that she being major and able to contract marriage with a man of her choice hence by exercising the right of her free will being sui juris has contracted marriage with said Mumtaz Ali and intends to go with him, therefore, purpose of filing instant petition in view of statement of alleged detainee, seems to have achieved and seeks its disposal. As far as contention of learned counsel for petitioner to the effect that alleged detainee is minor and under the provisions of Child Marriage Restraint Act, 2013 she cannot contract marriage with any one is concerned, learned AAG submits that being separate entity the petitioner is at liberty to file proper application / complaint before appropriate forum.

Since the alleged detainee is pubert and able to contact marriage with a man of her choice and intends to go with her husband Mumtaz Ali, therefore, the petition in hand seems to have achieved its purpose. Accordingly, the same is hereby disposed of alongwith pending application(s).

As far as contention raised by learned counsel for the petitioner as mentioned under the earlier order, the petitioner is at liberty to file proper application / complaint before appropriate forum, which shall be decided according to law.

JUDGE

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