

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI

CP No.S-613 of 2011

| Date | Order with signature of Judge |
|------|-------------------------------|
|------|-------------------------------|

1. For orders on CMA No.1634/2018
 2. For orders as to non-prosecution of CMA No.3986/2011.
 3. For hearing of CMA No.2801/2011
 4. For hearing of main case
-

28.01.2020

Shaikh Liaquat Hussain, advocate for the petitioner.
Mr. Zafaruddin Khan, advocate for Respondents No.1 & 2.

-.-.-.-

This constitution petition has arisen out of orders of Family Court in which even the execution is pending for the decree of dower amount, dowery articles and maintenance. The learned counsel for the petitioner says as far as decree of maintenance of the children is concerned he is complying with the orders of trial Court. However, he has disputed the payment of maintenance of the lady on the ground that she has gone by her own choice. The record shows that admittedly she has been divorced by the petitioner and therefore, she was entitled to the maintenance for the iddat period. Learned counsel for the respondents says that she claims only iddat maintenance for the iddat period which was determined as **Rs.3000/-** per month. As far as dispute with respect to the return of dowery articles is concerned the value of the dowery articles by the respondent herself was equal to **Rs.2,50,000/-** as per the list provided by her alongwith main suit for maintenance. Therefore, the decree on the evidence to the tune of **Rs.2,50,000/-** cannot

be set aside and modified in the constitutional jurisdiction by this Court since it was maintained by appellate Court.

This petition is, therefore, dismissed.

JUDGE

SM