

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
CP No.S-46 of 2019

Date	Order with signature of Judge
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For orders as to maintainability

06.02.2020

Syed Naimatullah Shah, advocate for the petitioner.
Mr. Azizullah Kumbher, advocate for the Respondent.

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Subject to compliance of the order dated **28.10.2019** within 15 days. The amount to be determined by the Executing Court in terms of the order dated **28.10.2019** and if the said amount is not paid within 15 days, this petition shall be deemed to have been dismissed and Executing Court will be free to execute the decree. However, after payment of this 50% the parties should contest the matter since the decree has been passed exparte to lawfully examine the circumstances of the petitioner for fair determination of maintenance of his wife and the duration/period she could be entitle for maintenance. The case is remanded to the trial Court. Learned counsel for the petitioner should file written statement on or before **22.2.2020** before trial Court subject to payment as ordered above and the learned Family Court make sure that the Suit No.2129/2019 is disposed of within stipulated time provided under Section 12(A) of the Family Court Act, from 22.2.2020. The Respondent will be entitled to receive amount deposited by the petitioner in the trial Court.

In view of the above instant petition stands disposed of.

JUDGE