

Order Sheet

IN THE HIGH COURT OF SINDH AT KARACHI

Constitutional Petition No. S – 922 of 2021

Date	Order with signature of Judge
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1. For orders on CMA No.6047/2021 (Urgency) :
2. For orders on CMA No.6048/2021 (Exemption) :
3. For orders on CMA No.6049/2021 (Stay) :
4. For hearing of main case :

26.11.2021 :

Mr. Fida Hussain Darwan, advocate for the petitioner.

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1. Urgency granted.

2–4. Petition No.1896/2020 filed by respondent No.2 against the petitioner under Section 10 of the Christian Divorce Act, 1869, for dissolution of their marriage and recovery of her dowry articles was allowed by the learned Family Court vide judgment and decree dated 13.02.2021. As the present petitioner did not file any appeal against the said judgment and decree, the same attained finality. Through the instant petition, the petitioner has impugned order dated 12.11.2021 passed in Family Execution Application No.11/2021, whereby the learned Family Court has directed the petitioner / judgment debtor to deposit the amount equivalent to the value of the dowry articles. The impugned order was passed by the learned Family Court in view of the statement made on the above mentioned date by the petitioner that he was ready to pay the value of the remaining dowry articles. The instant petition is not maintainable as the decree passed by the learned Family Court, having not been challenged by the petitioner, has attained finality, and also as the impugned order was passed in view of the above statement made by the petitioner. Accordingly, the petition and listed applications are dismissed in limine with no order as to costs.

J U D G E