

ORDER SHEET

IN THE HIGH COURT OF SINDH BENCH AT SUKKUR

C. P. No. S – 270 of 2021

Date of hearing	Order with signature of Judge
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Fresh case

1. For orders on CMA No.6426/2021 (U/A)
2. For orders on office objections at Flag-A
3. For orders on CMA No.6427/2021 (Ex./A)
4. For hearing of main case
5. For orders on CMA No.6428/2021 (Stay)

29-11-2021

Mr. Mian Mumtaz Rabbani, Advocate for the Petitioner.

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1. Urgency is granted.

2 to 5. Through this Petition, the Petitioner has sought the following relief(s):

- i) *Direct the Respondent to handover the custody of the minor to the Petitioner.*
- ii) *Direct the Respondent No.1 to deposit the passport of Respondent No.1 as well as the minor with the Nazir of the Court.*
- iii) *Any other relief or order which this Hon'ble Court deems fit.*

Petitioner's Counsel has been confronted as to maintainability of this Petition in view of the prayer clause as well as the objection raised by the office and he has no answer except that the concerned Court is vacant. It appears that the Petitioner and Respondent No.1 are in dispute in respect of custody and orders have been passed by the Family Court including compromise between them. Allegedly, the compromise has been breached, and thereafter the Petitioner made an attempt to file some Criminal Miscellaneous Application before the Sessions Judge and now this Petition. Since the Court had already taken cognizance, whereas, reportedly the orders passed by the Family Court are also under challenge in Petition by Respondent No.1; therefore, this Petition appears to be misconceived and not maintainable and is therefore **dismissed** with pending applications.