

ORDER SHEET
THE HIGH COURT OF SINDH, KARACHI
C.P. No.S-541 of 2023

Dated: Order with signature of Judge(s)

- 1.For orders on CMA No.4315/2023.
- 2.For orders on CMA No.4316/2023.
- 3.For orders on CMA No.4317/2023.
- 4.For hearing of Main Case.

02.06.2023:-

M/s. Naveed Ahmed and Muhammad Asif, Advocates
along with Petitioner.

Petitioner impugns the order dated 31 May 2023 passed by the IXth Additional District and Sessions Judge Karachi (East) in Family appeal No. 88 of 2023 emanating from an order dated 15 March 2023 passed by the XXIX Civil & Family Judge Karachi (East) in G&W Application No.684 of 2023, which was on an application under Section 12 of the Guardian & Wards Act, 1980 for interim custody.

The counsel for the Petitioner who is present along with the petitioner and Mr. Arsalan Raja advanced arguments. While Notice had not been issued, Advocate for the Respondent No. 1 who was present along with the Respondent No. 1 waived notice and filed his vakalatnama. After considering the matter and hearing both the parties and their counsel, by consent the following order is passed:

The interim custodial arrangement as determined by the Civil & Family Judge Karachi (East) is modified in the following terms:

- (i) The Respondent No. 1 shall meet the minors (IR-1) & (IR-2) every Friday, Saturday and Sunday from 12.00 p.m. to

6.00 p.m. during the school summer vacations and during regular school term. On Fridays during school terms, the Respondent No. 1 is permitted to collect the minors (IR-1) & (IR-2) from school and return the children to the residence at 6.00 p.m.

- (ii) In addition to the above, the Respondent No. 1 (Mother) will be permitted to take the children for lunch from 1:00 pm to 3:00pm or dinner from 6:30 pm to 8:30 pm during the summer vacations on every Tuesday & Wednesday and during school term for dinner from 6:30 pm to 8:30 pm at her sole cost and expense
- (iii) In the event, that the Respondent No. 1 for whatever reason is unable to meet minors (IR-1) & (IR-2) as per the visitation schedule detailed in clause (i) or (ii) above, she will not be permitted to adjust the adjust to any other day or to any other time.

Subject to the above, petition is disposed of with directions to the G&W Court to decide the G&W Application No.684 of 2023 expeditiously preferably within three (03) months from the date of reopening of the court i.e. by 30 September 2023.

Nasir PS.

JUDGE