

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT,
HYDERABAD.
C.P.No.S-471 of 2022

DATE

ORDER WITH SIGNATURE OF JUDGE

For order on office objection
For hearing of main case.

06-11-2023

Ms. Samuina Ajmaree, advocate for petitioner.
Respondent No. 1 in person; along with the minor.
Mr. Abdul Mujeeb Shaikh & Mr. Jehanzeb Leghari, advocates for
the respondent.
Mr. Wali Muhammad Jamari, Assistant A.G Sindh along with DSP
Syed Bubdar Ali Shah SDPO Qasimabad and Inspector Manzoor
Ali o/b SSP Hyderabad.

Order of the Court regarding production of minor has been
complied with and compliance report in such regard has been placed on
record. All coercive orders passed herein, including the order for blocking
of NIC/s dated 16.05.2023, are recalled and NADRA is directed to unblock
the NIC of respondent no. 1 immediately.

The prayer clause demonstrates that the petition impugned an
order dated 24.10.2020 passed by the VIIth Family Judge, Hyderabad.
Admittedly, it is an appealable order, hence, no case is made out to
sanction direct recourse to writ jurisdiction.

Even otherwise, entertaining such matters in the writ jurisdiction
has been disapproved by the Honourable Supreme Court in the cases of
M. Hamad Hassan vs. Mst. Isma Bukhari and others (2023 SCMR 1434) and
Arif Fareed vs. Bibi Sara and others (2023 SCMR 413). It is the deliberated
view of this Court that the present petition does not qualify on the anvil of
Hamad Hasan and Arif Fareed. Therefore, in *mutatis mutandis* application of
the ratio illumined, coupled with the rationale delineated supra, this petition is
found to be misconceived, hence, dismissed.

Judge