

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.S-1308 of 2023

Date	Order with signature of Judge
------	-------------------------------

- 1.For order on office objection
- 2.For hearing of main case

13.05.2024

Mr. Muhammad Arif, Advocate for the petitioner.
Mr. Farooq Rashid, Advocate for the respondent No.1.
Mr. Ahmed Khan Khaskheli, AAG.

Sufficient efforts were made by the counsel for the parties to settle the matter as only claim for dowry articles some of them per learned counsel for the petitioner are still lying with the respondent husband premises. Learned counsel states that petitioner sought Khula and was a young mother could not press the application for 12(2) CPC as being unaware of the legal complexity, however, when she came to conclusion that she has been unfairly treated by the compromise, she moved an application under Section 12(2) CPC which however was dismissed on the point of limitation. It appears that factual controversies raised by the petitioner in respect of dowry articles which are still lying with the respondent husband requires determination by the trial Court and in such circumstances where the matter pertain to family jurisdiction where petitioner is raising her minor at the maintenance given to her at the rate of Rs. 2000/- per month only for the last seven years. This petition is allowed, impugned order is set aside and trial Court to decide the 12(2) CPC application on merits after hearing both the parties and

after framing of issues and record of the evidence, thereafter, pass speaking order within a period of 90 days.

JUDGE

Aadil Arab