

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI

**C. P. No. D-5829 of 2024**

[Beenish Anthony Vs. Federation of Pakistan & others]

DATE	ORDER WITH SIGNATURE OF JUDGE(S).
------	-----------------------------------

Present:

Mr. Justice Muhammad Shafi Siddiqui C.J.

Mr. Justice Jawad Akbar Sarwana

Fresh case

1. For orders on office objection No.13.
2. For orders on CMA No.25816/2024 (Exemption).
3. For orders on CMA No.25817/2024 (Stay).
4. or hearing of main case.

.....

**20.11.2024**

Syeda Sara Kanwal, Advocate for the petitioner.

.....

**Muhammad Shafi Siddiqui, C.J:** This petition is filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, seeking a restraining order against the respondents including Anthony David / respondent No.5 being father of the ward. The petitioner, being mother, filed an application under Sections 7 and 10 of the Guardians & Wards Act, 1890. It is claimed that since she has the custody of the ward, the application under Section 25 read with Section 12 of the Guardians & Wards Act was not filed; hence they only seek a declaration as to the guardian of the ward.

2. We have heard the learned counsel and are of the view that since the jurisdiction is being enjoyed by the Guardian Judge as Court No.XXVIIth Family Judge Karachi-East, this application ought to have been filed for proper appreciation before the learned guardian Court who may exercise jurisdiction being exercised. With this understanding of law, the petition stands disposed of alongwith the listed applications.

CHIEF JUSTICE

JUDGE

Asif