

ORDER SHEET
THE HIGH COURT OF SINDH AT KARACHI

C.P No.S-433 of 2023.

Date: Order with signature(s) of the Judge(s)

Hg./Priority Case.

1. For Hearing of MA No.3418/2023.
2. For Hearing of Main Case.

03rd October, 2023.

Mr. Manzoor Hussain Soomro advocate for the Petitioner.
Mr. Mansoor Ali Panhwar advocate for Respondent No.1 to 5.

Petition is against the concurrent findings whereby Petitioner was directed to maintain four minors and wife. According to counsel Petitioner is receiving Rs.36,000/- as pension on monthly basis and he is unable to pay Rs.30,000/- to his first family as he has contracted second marriage. Learned counsel for the Petitioner relied upon the case law reported in 2021 YLR 1363 [Sindh] [Shaikh Farrukh Hussain Vs. Mst. Farah Nishat and 3 others]. Further he also admits that Petitioner has shop in Kandiaro district Naushahro where from he is receiving share in the business. Under these circumstances when admittedly Petitioner receiving share from his business established in the shop owned by him in addition to monthly pension, is not justified to refute deposit of Rs.30,000/- for the maintenance of four minors and his wife. Accordingly, instant petition is dismissed alongwith pending application[s].

JUDGE

M.Zeeshan