

ORDER SHEET
THE HIGH COURT OF SINDH AT KARACHI

C.P No. S-301 of 2021.

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

Hg. of Case.

1. For Hearing of MA No. 4008/2021.
2. For hearing of Main Case.

11th October, 2022.

Mr. Muhammad Aslam advocate for the petitioner.
Respondent No.1 present in person.
Mr. Zahid Farooq Mazari, AAG.

At the outset learned counsel for the petitioner contends that petitioner being father is paying maintenance in term of trial court order which is Rs.8,000/- per month with Nazir of that court in Family Suit No. 42/2019 whereas, appellate court despite setting-aside order of trial court failed to pass order with regard to visitation of minor with the father.

Respondent No.1 is present contends that petitioner [father] was failed to deposit maintenance as ordered by the trial court. Further learned counsel for the petitioner contends that he would be satisfied if visitation right on fortnight basis is allowed in the court premises as maintained during pendency of the petition before the family court accordingly he will not press instant petition, however, after two years he shall be given opportunity to approach Guardian and Ward Court on fresh and new grounds, if warranted under the law.

Under these circumstances, instant petition is disposed of while maintaining order of appellate court with modification that family court shall regulate visitation of minor with father [petitioner] on fortnight basis at the premises specified for meeting of parents with rider that father shall pay all arrears, if he has not paid with regard to maintenance and future maintenance and in case father failed to deposit maintenance he would not be entitled to visit minor and family court would be competent to recover maintenance as land revenue arrears by taking all coercive measures against the father. Respondent No.1 would be competent to receive the same from the family court.

JUDGE