

ORDER SHEET

IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA

Constitutional Petition No.S- 18 of 2025.

DATE OF HEARING

ORDER WITH SIGNATURE OF HON'BLE JUDGE

1. For orders on office objection as flag A.

2. For hearing of main case.

07.02.2025.

Mr. Himat Ali Gadehi, advocate for the petitioner.

Mr. Munwar Ali Abbasi, Asstt. A.G and Mr. Ali Anwar Kandhro,
Addl. P.G. a/w Respondents No.1 and 2.

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Pursuant to process, respondents Niaz Hussain and Tanveer Ali are present in person, however, Syed Lal Shah, Advocate files vakalatnama on their behalf, taken on record. Syed Lal Shah further submits that petitioner No.1 was married with one Ayaz Ali Babar on 22.12.2024 and within one month time i.e. 22.01.2025 she entered into second nikah with petitioner No.2 without getting separation or divorce from previous husband. He further submits that Ayaz Ali, the previous husband of petitioner No.1 is not made party to instant proceedings so that she may get undue advantage of the proceedings. In support of his contentions, he submits photocopy of nikahnama and photographs of wedding ceremony of petitioner No.1 with her previous husband Ayaz Ali, taken on record.

Respondents No.1 to 3 have submitted their written statement/comments, taken on record, whereby they have categorically denied to have caused any kind of harassment to the petitioners and they further undertake that they will not cause any harassment to them in future.

Since the couple is not in attendance today and even the main person i.e. Ayaz Ali, the previous husband of petitioner No.1, has not been made party to the proceedings, therefore, when confronted, learned counsel for the petitioner seeks time to file amended title page of petition within three days. Once the amended title page is filed, office to issue fresh notice to the newly added respondent through SHO P.S K.N Shah for 14.02.2025.

JUDGE

Accordingly and in view of above, instant petition is disposed of with direction to the official respondents not to cause any kind of harassment to the petitioners at the behest of private respondents and provide protection to the petitioners as and when required by them. As far as claim of the respondents with regard to nikah over nikah, it requires evidence for which the respondents No.4 and 5 are at liberty to file proper application before the competent forum having jurisdiction. A copy of order shall be sent by fax to SSP Dadu today for compliance. A copy of order shall also be provided to the offices of learned A.A.G and Addl. P.G for correspondence and compliance.

JUDGE

Shobir