

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI

Const. Petition No. S-904 of 2024
Muhammad Sohaib Roomi v. Mst. Lubna Rasheed

Date	Order with signature(s) of Judge(s)
Hg: / Priority	

- 1. For orders on Misc. No.4007/25
- 2. For hearing of Misc. No.2176/25
- 3. For hearing of Misc. No.6815/25
- 4. For hearing of Misc. No.

17.11.2025.

Mr. Saud Ahmed Khan, Advocate for Petitioner.
Mr. Ali Zardari, Assistant Advocate General Sindh.

Through the instant petition, the petitioner has called into question the judgment dated 20.07.2024 passed by the Court of IV Additional District & Sessions Judge, Karachi Central in Petition No. 04/2024, as well as the judgment dated 30.11.2023 passed by the learned XIV Family Judge, Karachi Central in Family Suit No. 1790/2019.

2. Respondent No. 1 filed a suit seeking maintenance from the date of divorce until the completion of the iddat period, along with maintenance for the three minor children, namely Ameema Abeer, Sohira Taneer, and Muhammad Meeran Majeed. The learned trial Court, after recording evidence, decreed the suit and granted maintenance at the rate of Rs. 15,000/- per month for each child from the date of institution of the suit, with an annual increase of 10%. The appellate Court maintained the judgment of the trial Court.

3. Learned counsel for the petitioner submits that at the time of institution of the suit in 2019, the petitioner’s monthly salary was approximately Rs. 70,000/-, and by 2023, at the time of disposal of the suit, his monthly salary was Rs. 117,634/-. He contends that the maintenance fixed for the minor children is excessive and that it is not possible for the petitioner to pay Rs. 15,000/- per month for each child. He therefore prays that the decree passed by the learned trial Court be modified and the maintenance amount be reduced.

4. Learned counsel for the respondent contended that since the date of separation, the minors have been residing with their mother and have been receiving education in private schools/institutions where the monthly fees range approximately from Rs. 6,000/- to Rs. 8,000/-. He submitted that these fees have been regularly paid each month. He therefore argued that, in all circumstances, the father remains responsible for maintaining the minors.

5. Heard arguments and perused the material available on record.

6. It appears from the record that at the time of institution of the suit, the ages of minors/respondent Nos. 2–4 were approximately 14 years 2 months, 11 years 10 months, and 10 years 1 month, respectively. At such ages, children generally attend secondary-level schools. As per the contention of respondent Mst. Lubna Rasheed, all the children were studying in private schools/institutions where the monthly fees ranged from Rs. 6,000/- to Rs. 8,000/-. In these circumstances, the maintenance amount of Rs. 15,000/- per month per child was neither harsh nor beyond the father's capacity to pay, and it is indeed the father's responsibility to maintain his children.

7. This Court is of the view that the amount of Rs. 15,000/- per month for each child fixed only for the basic food expenses for children of such age. The learned trial Court appears to have fixed this amount keeping in view the exorbitant educational expenses as well as the other essential needs of the minors at this stage of their lives. The petitioner has challenged only the quantum of maintenance, which has been fixed by the trial Court in accordance with law, and the appellate Court has rightly found the same well within legal parameters. Petitioner has failed to make out any case for interference, nor has he pointed out any illegality or infirmity in the impugned judgments. It also appears from the record that on the very date of institution of the suit, the petitioner was directed to deposit an amount of Rs.500,000/-, which he neither paid to the respondent nor deposited before this Court or the Execution Court, which was sufficient ground to dismiss the petition at an earlier stage.

8. The petitioner is, therefore, directed to pay/deposit the balance amount before the Execution Court as determined by the said Court in the execution proceedings.

9. This petition being devoid of merits is dismissed along with all listed applications.

JUDGE