

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C. P. No. S-28 / 2026
(Fawad Alam Vs. Mst. Samreen)

Date	Order with signature of Judge
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For orders as to maintainability of Petition.

04.03.2026.

Ms. Uzma Saeed, Advocate for Petitioner.
Mr. Peer Rehman Mehsud, Advocate for Respondent No. 1.

Through instant Petition the Petitioner has impugned order dated 06.12.2025 passed under Section 17-A of the West Pakistan Family Courts Act, 1964 (“**The Act**”). Vide impugned order the Petitioner was directed to pay interim maintenance @ Rs. 25,000/- per minor per month.

Learned Counsel for the Petitioner has argued the matter at length and has stated that the Petitioner, a retired International Cricketer, is unable to pay the noted amount as the same is exorbitant and he does not have the means currently to comply with the impugned order. She invited my attention to the fact that the noted Petitioner is currently unemployed and he has as a matter of good will been paying an amount of Rs. 15,000/- per month in respect of the two minors in the custody of the Respondent. Lastly, she has argued that the other two minors in the custody of the Petitioner are already been taken care by him and therefore, the amount stipulated in the impugned order is beyond the financial capacity of the Petitioner.

Conversely, learned Counsel for the Respondent has stated that the instant Petition is not maintainable as the impugned order for interim maintenance order is passed under Section 17-A of the Act. He has stated that evidence at the trial has started and the trial is likely to be completed soon and no interference in Writ jurisdiction is warranted.

It is apparent from the perusal of the Impugned Order that the noted Petition has been filed against an order passed under Section 17-A of the Act. The Hon'ble Supreme Court has deprecated the use of Writ jurisdiction against interim orders in the case of **Shahzad Amir Farid**¹. I further concur with the Judgment of the learned Single Judge of this Court in the case of **Abdul Hayee**², in which writ petition was dismissed in similar circumstances.

In the light of above, instant Petition is dismissed and the learned Family Judge is further directed to conclude the trial within a period of 60 days positively. Petition stands disposed of.

Arshad/

J U D G E

¹ Shahzad Amir Farid Vs. Mst. Sobia Amir Farid (2024 SCMR 1292)

² Abdul Hayee Vs. Mst. Halima (2020 MLD 1523)