

ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT, HYDERABAD.
C.P.No.S-766 of 2015.

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For order on office objection, as flagged.
2. For Katcha peshi.

10.09.2015.

Mr. Irfan Ahmed Qureshi, Advocate for petitioner, alongwith the petitioner.

Mr. Ashfaque Nabi Kazi, Assistant A.G. alongwith SIP Naeem Ashraf on behalf of SHO Police Station A-Section Tando Allahyar.

Respondent No.4 present in person.
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Respondent No.4 is present in Court alongwith his minor baby, namely, Sidratul Muntaha, who is a suckling baby.

Admittedly, the minor baby is in the custody of her father/respondent No.4. Respondent No.4 has stated at the bar that the baby is with him for the last one year and apparently there is no proof that the custody of the minor has been removed from the petitioner forcibly. The controversy, involved in the instant petition, relates to custody of minor child which cannot be resolved by this Court and for the purpose of regulating the custody of minor baby the parties are supposed to approach the Court of Guardian and Wards. Since the issue is between the father and mother while disposing of this petition the interim custody of the minor baby who is apparently a milk suckling child is hereby handed over to the petitioner. However, till the right of Hizanat is decided by the Court of Guardian and Wards, the petitioner is bound down that on every third day the child will be brought at Tando Allahyar for meeting with her father (respondent No.4) and his family. The custody of the minor baby will be handed over to respondent No.4 at Tando Allahyar by the SHO A-Section Latifabad, Hyderabad or any police officer deputed by him and after completion of 24 hours, the SHO Police Station Tando Allahyar will take the custody of the child from respondent No.4 and shall hand over to the petitioner. The meeting of the child with respondent No.4 and his family should be regulated under the supervision of SHOs A-Section Latifabad and A-Section Tando Allahyar who will supervise such meeting either themselves or depute some responsible police

official/representative to do the needful. Every third day means every third day and there should be no confusion in the mind of the petitioner about it. In case she fails to comply with this arrangement, the custody of the minor will be taken back from her and handed over to respondent No.4.

With the above observation, instant petition is disposed of.

Copy of this order be faxed to the SHOs concerned for their information and compliance.

JUDGE