

IN THE HIGH COURT OF SINDH KARACHI

CP No.S-1457 of 2024

(*Syed Muhammad Huzaifa v. Mst. Noor Ul Ain and others*)

Date of hearing and order: 04.12.2025

Petitioner *Syed Muhammad Huzaifa* present in person
Mr. Zahid Khan, advocate for the respondent
Mr. Ali Zardari, AAG

ORDER

Nisar Ahmed Bhanbhro, J. Through this petition, the petitioner has challenged the concurrent findings of the Courts below, wherein he was directed to pay maintenance allowance of Rs. 49000/- to 05 minors and one wife.

2. The petitioner present in person contends that he was earning salary of Rs. 59000/- per month, therefore, he was unable to pay the amount of Rs. 49000/- per month to the minors and the wife, thus the order passed by Courts below be modified and maintenance amount reduced.

3. Learned counsel for the respondent submits that maintenance was fixed on the consent of the petitioner; therefore, he is liable to pay maintenance. Petition was not maintainable and liable to be dismissed.

4. Arguments heard and perused the record. Vide order dated 31.10.2025, the matter was referred for mediation to the Mediation Centre of this Court, wherein on 14.11.2025 both the parties appeared and demonstrated their unwillingness to participate in the mediation process, thus mediation as per report of the Mediation Centre failed. It reflects from the order dated 25.05.2024 passed by the learned trial Court that the petitioner had himself consented to pay Rs. 49000/- per month to the minors and wife. Thereafter, he filed an application under Section 17-B for reducing the maintenance allowance which was declined. In appeal, learned appellate Court, maintained the orders of the learned trial Court. It is further case of the petitioner that he failed

to appear before the learned trial Court and did not adduce evidence after filing of the written statement. Since interim maintenance for the minors was fixed as Rs. 49000/- on the consent of the petitioner rendered by him, therefore, the petitioner by his own conduct was stopped for challenging the said orders. Even no illegality or infirmity has been pointed out in the concurrent findings of the Courts below. Accordingly, this petition fails and dismissed with no order as to costs.

JUDGE

Nadir/PS*