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ORDER SHEET
IN THE HIGH COURT OF SINDH CIRCUIT COURT LARKANA
Const. Petition No. S- 59 of 2024

DATE	ORDER WITH SIGNATURE OF JUDGE
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Fresh Case

1. For orders on office objection flag 'A'
2. For orders on M.A No. 121/2024 (E/ A)
3. For Hearing of main case.

18.03.2025

Mr. Munawar Ali Abbasi, Assistant A.G.

Petitioner Muhammad Khan has called into question the legality of the judgment dated 09.06.2021 passed by the learned Family Judge-I, Mehar in Family Suit No. 43/2021 whereby the family suit of the plaintiff was decreed ex-parte to the extent of prayer clause (a) as discussed in the impugned judgment. Appeal was preferred which met with the same fate vide order dated 25.10.2022. The learned appellate court concurred with the view taken by the learned Family Court while dismissing the application under section 9 (6) of the West Pakistan Family Court Act, 1964. Since the petitioner and his counsel are called absent without intimation, therefore, this Court is left with no option but to adhere to the principles laid down by the Supreme Court in the cases of M. Hamad Hassan v. Mst. Isma Bukhari & others (2023 SCMR 1434) and Arif Fareed v. Bibi Sara & others (2023 SCMR 413), therefore, this petition is dismissed in default.

JUDGE

A.H.Qazi/**