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ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
C. P. No.S-108 of 2024

Date of Hearing	ORDER WITH SIGNATURE OF JUDGE
05.04.2024.	

1. For orders on office objection.
2. For hearing of Main Case.

Mr. Ahsan Ahmed Qureshi, advocate along with the petitioner.
Mr. Munawar Ali Abbasi, Asst. A.G.
Mr. Ali Anwar Kandhro, Addl. P.G.

Respondent No.1 is present person, while Mr. Muharam Ali Junejo advocate files Vakalatnama on his behalf, taken on record. Respondent No.1 has appeared along with minor Zain Ali @ Ghulam Mehdi. It is the case of petitioner that her minor son Zain Ali @ Ghulam Mehdi has been detailed illegally by respondent No.1 Sajjad Ali Shah, therefore, her custody may be given to her, being his real mother.

Learned Counsel for the respondent No.1 submits that the petitioner was previously married with Juman Ali Shah; however, after getting divorce from him, she had contracted marriage with the respondent No.1 and out of second wedlock she gave birth to minor / alleged detainee and without obtaining any *Khulla* or divorce, she joined back her previous husband Juman Ali Shah and further that at the time of leaving minor with respondent No.1, the minor was only 3/4 months old and since she has contracted second marriage with her previous husband Juman Ali Shah, therefore, custody of minor cannot be given to her. He submits that instant petition may be dismissed.

In view of above position, the best course for the parties is to seek remedy before the appropriate forum/Guardian Court, for which this Court has no jurisdiction. Accordingly, instant petition is hereby dismissed; however, the petitioner is at liberty to seek remedy prescribed under the law for seeking custody of minor.


JUDGE