

ORDER SHEET
IN THE HIGH COURT OF SINDH
CIRCUIT COURT MIRPURKHAS

Constitutional Petition No.S-45 of 2026

DATE ORDER WITH SIGNATURE OF JUDGE

17-03-2026.

Mr. Sikander Ali Kolachi advocate for the petitioner a/w petitioner.

Mr. Irfan Umrani advocate for the respondent a/w respondent.

Mr. Muhammad Sharif Solangi, A.A.G.

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This matter was partly heard on 23-02-2026, 09-03-2026 and 12-03-2026 and was fixed for today. In compliance to the earlier Order, the petitioner has been able to bring a sum of Rs. 160,000/= in satisfaction of the Decree and request for time to deposit the remaining decretal amount of Rs.7000/=. The matter was argued at length by both learned counsel on the issue of quantum of maintenance of the minor, which was doubled by the learned Appellate Court; the issue of past maintenance of the wife/ respondent, which was dis-allowed by the learned trial Court but was allowed by the learned Appellate Court and the meetings of the minor with the petitioner and visitation schedule thereof. After arguing the matter at length, both learned counsel, under instructions of their client, state that they would be satisfied if the instant Petition is disposed of in the following terms.

1. That the Judgment and Decree passed by the learned trial Court be upheld.
2. That based upon calculation in the Decree passed by the learned trial Court a total sum of Rs.167, 000/= are due/ payable by the petitioner; out of which the petitioner has handed over a sum of Rs.160,000/= to the respondent in Court through their respective counsel, whereas the remaining sum of Rs.7000/= shall be deposited by the

petitioner within a period of 15 days hereof a/w 10% enhancement amount, as ordered by the learned trial Court.

3. That the petitioner shall without fail regularly deposit the maintenance of the minor with the learned Family Court concerned on 10th of each month.
4. That the visitation rights of the petitioner with the minor shall be adopted with the following schedule.
 - i. Regular Meetings: On the 2nd and 4th Saturday of every month, from 11 am to 12 pm.
 - ii. Child's Birthday: from 12 pm till 1 pm.
 - iii. Father's Birthday: from 12 pm to 1 pm.
 - iv. Eid-ul-Fitr: The first working day after Eid, from 10 am till 12 pm.
 - v. Eid-ul-Azha: The first working day after Eid, from 10 am till 12 pm.
 - vi. Costs: For each of the above meetings, the father shall deposit Rs.1,000/- with the Court for disbursement to the mother.
 - vii. Venue: All Regular Meetings [para (i) to (v)] shall be conducted within the premises and under the monitoring and supervision of the Guardian Court.
 - viii. Summer vacations: On the 2nd and 4th Friday of the 1st month of summer vacations, the father may pick up the minor at 11 am, under the supervision of Family Judge, Mirpurkhas, and shall return the minor on the next day at 11 am in Court.
 - ix. Winter vacations: In the 1st week of winter vacations, on Friday, the father may pick the minor at 11 am under the supervision of the Family Judge, Mirpurkhas and shall return the minor the next day at 11 am in Court.
 - x. Exceptions: Notwithstanding the above schedule, this meeting arrangement shall be implemented strictly considering the health and education of the minor individually, and subject to the ruling by the learned Court.
 - xi. Alterations: Only with the express mutual consent of both parents, the above days, timings, venue or occasions can be altered. The educational or health expenses of the minor shall be individually decided by the Guardian Court.
 - xii. Education: Mother shall be at liberty to look after the health and education of the minor, in the school of

her choice and other day-to-day needs of the child. Both parents may attend important school meetings and other school functions as required, only to build the confidence and better personality of the Child.

- xiii. Maintenance: Starting from 1st March 2026, on or before the 1st day of each month, the father shall continue to deposit future maintenance of minor with the Family Court, along with increment, if any, as decided by the learned appellate court.
- xiv. Mutual Cooperation: The minor is of impressionable age, and both the parents are required to act sensibly, being conscious of their serious responsibility towards the child, and shall not do any act which may prejudice the mind of the child towards the other parent [2018 SCMR 1991]. Hence, in the best interests of the Child, both parents shall fully cooperate with each other on all matters and documentation(s), etc., as, when and wherever required by the Child's school or NADRA or Union Council or Immigration or any forum/ department/ authority.
- xv. Implementation: For the implementation of this Order, as well as for all matters and guidance concerning the rights and welfare of the Children, the parties shall approach the Court.
- xvi. Court: wherever used in this paragraph, shall mean the concerned learned Family Judge, Mirpurkhas at present, and for the future, shall also include the Family Court having jurisdiction under the Family Courts Act, 1964, and the Rules thereunder.

4. The instant Petition is disposed of, by consent of the parties, in above terms.

JUDGE

Saleem

