ORDER SHEET

IN THE HIGH COURT OF SINDH AT KARACHI

C.P. No.S-1016 of 2026

DATE	ORDER WITH SIGNATURE OF JUDGE(S).

Hearing/priority

1. For hearing of CMA No.7306/2026 (Stay).
2. For hearing of main case.

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Dated 02.11.2026

M/s. Tariq Ahmed Memon, Abdul Ahad and Abdul Munam, Advocates for the Petitioner.

Mr. Mohsin Raza, Advocate for Respondent Nos.1 and 2.

Mr. Dawood Jan Mazari, Assistant Advocate General Sindh.

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1. Through this petition, the petitioner has challenged the order dated 23.09.2026 passed by the learned XIXth Civil and Family Judge, Karachi South, in Guardian and Wards Application No.1509 of 2026. On the previous date of hearing, this Court directed petitioner No.1 to produce the minor, Muhammad Abubakar Naveed, before the Court. In compliance with the said direction, the minor has been produced before the Court today.

2. Learned counsel for the parties submit that the parties have amicably resolved the matter concerning the interim custody of the minor and seek disposal of this petition in terms of their joint statement, duly signed by the parties and their respective counsel. The said statement is taken on record and reproduced herein below:-

> *"It is hereby respectfully submitted on behalf of parties herein that the parties have jointly agreed to share the custody of minor Abubakar petitioner No.2 (herein) on weekly basis (Sunday to Sunday), i.e. petitioner will reside one week with petitioner No.1 and likewise one week with respondent No.1. It is also agreed that such exercise will be carried out under the supervision of bailiff of XIXth Family Judge, Karachi South.*
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> *It is also agreed that petitioner No.2 has exams starting from 23rd November, 2026 and/or any exams in future and during this period the custody of minor will remain with respondent No.1 and during period any additional day(s) where petitioner No.2 remains with the respondent No.1, the same will be adjusted later."*

3. In view of the above joint statement and with the consent of learned counsel for the parties, this petition is disposed of in terms thereof. The parties shall strictly abide by the agreed arrangement

regarding interim custody of the minor until the final decision of Guardian and Wards Application No.1509 of 2026. It is, however, clarified that the aforesaid arrangement is purely interim in nature and shall neither create any vested right in favour of either party nor prejudice their respective claims in the pending proceedings.

4. The learned trial Court is directed to decide Guardian and Wards Application No.1509 of 2026 expeditiously, preferably within sixty (60) days from the date of receipt of this order, strictly in accordance with law, after affording due opportunity of hearing to the parties and keeping the welfare and best interests of the minor as the paramount consideration. It is further clarified that the learned trial Court shall decide the matter independently, on its own merits and on the basis of the material available on record, without being influenced by the interim custody arrangement agreed upon by the parties or its endorsement by this Court.

5. A copy of this order shall be transmitted forthwith to the learned trial Court, which shall ensure that the interim custody arrangement mutually agreed upon by the parties, as reflected in their joint statement reproduced hereinabove, is implemented in letter and spirit through the bailiff of the learned trial Court. The said arrangement shall remain operative until the final decision of Guardian and Wards Application No.1509 of 2026, and both parties shall strictly adhere to its terms. The learned trial Court shall supervise its implementation, keeping in view the welfare and best interests of the minor.

6. The petition stands disposed of in the above terms, along with all pending application(s).

JUDGE

Ayaz Gul