

IN THE HIGH COURT OF SINDH KARACHI

Const. Petition No. S-742 of 2025  
(Kashif- v – Faryal Waseem & Ors.)

Date	Order with signature(s) of Judge(s)
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For orders as to the maintainability of petition.

04.12.2025.  
Mr. Muhammad Arif, Advocate for the Petitioner.  
Mr. Imdad Ali Sehto, Advocate for the Respondent.  
Mr. Ali Zardari, Assistant Advocate General Sindh.

ORDER

*Nisar Ahmed Bhanbhro, J.* This petition has been preferred against the order dated 25.07.2025, whereby the application for restoration of G & W Application No. 1846 of 2024 was allowed. It is the case of the petitioner that the said application was filed without any supporting affidavit and no cogent reasons were assigned for the absence of the parties on the respective dates when the matter was called for hearing.

- 2. Learned counsel for the respondent has vehemently opposed this petition.
- 3. Heard arguments, perused the material available on record.
- 4. Since the issue involved in the present case concerns the right of the children to meet their mother, and it is a settled principle of law that children, by virtue of being children, have an inherent right to meet both their mother and father, the trial Court ought not to have dismissed the G&W application for non-prosecution. The application had been filed to regulate the visitation rights of the minors; therefore, at most, the trial Court could have imposed a penal consequence such as closing the petitioner’s side for evidence.
- 5. Once the application for restoration was filed, the proper course available to the trial Court was to recall the order dated 01.03.2025 and to restore the matter, which it has rightly done through the impugned order. Finding no illegality or infirmity in the impugned order, this petition fails and is accordingly dismissed along with the pending applications.

JUDGE