

Order Sheet
IN THE HIGH COURT OF SINDH KARACHI
CP No.S-1305 of 2025

Date	Order with signature(s) of Judge(s)
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1. For orders on CMA No.8243/2025
2. For orders on office objection No.4 a/w reply of counsel thereof as Flag-A
3. For orders on CMA No.8244/2025
4. For orders on CMA No.8245/2025
5. For hearing of main case

18.11.2025

Mr. Akhtar Hakeem Kalwar, advocate for the petitioner

This petition calls in question the order dated 27.10.2025 passed by the Court of learned Additional District & Sessions Judge-V, Karachi, West, passed in Family Appeal No.127 of 2025 and the order dated 01.03.2025 passed in Family Execution Application No.38 of 2023, wherein the execution proceedings were challenged by the petitioner.

2. It appears that Family Suit No.2012 of 2021 was disposed of vide judgment and decree dated 24.02.2022 and appeal preferred against the said judgment was also disposed of vide judgment dated 21.08.2023. Since no challenge was made to the concurrent findings of the Court below in the original proceedings, therefore, judgment and decree passed by the learned appellate Court and learned trial Court attained finality.

3. Now, the petitioner has challenged the execution proceedings. It is a settled principle of law that the executing Court cannot go beyond the decree. When confronted with the legal position, learned counsel for the petitioner submitted that the execution proceedings were being held in terms of the decree passed by the appellate Court, however he could not point out any infirmity in the impugned order.

4. It further appears from the record that the order dated 01.03.2025 was challenged before the learned appellate Court beyond a period of limitation and the application under Section 5 of the Limitation Act, 1908, was also filed. Learned appellate Court dismissed the application filed under Section 5 of the Limitation Act as no grounds regarding delay were available in the said application.

5. In the wake of above discussion, No illegality or infirmity has been pointed out in the impugned orders; therefore, no case for interference is made out. Consequently, this petition, being devoid of merit, stands dismissed along with the listed application(s).

JUDGE

Nadir*