

*ORDER SHEET*  
**IN THE HIGH COURT OF SINDH, CIRCUIT COURT HYDERABAD**

C.P.No.S-596 of 2018.

DATE	ORDER WITH SIGNATURE OF JUDGE(S)
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1. For orders on M.A-1423 of 2018.
2. For orders on office objection.
3. For orders on M.A-1424 of 2018.
4. For katcha peshi.
5. For orders on M.A-1425 of 2018.

29.03.2018.

Syed Muhammad Waseem Shah, Advocate for the petitioner.  
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1. Urgent application granted.

2 to 5. This petition has been filed against the order passed by Family Judge-II, Tando Adam dated 12.03.2018, wherein an application for conducting DNA test of the baby boy Umer Farooq, born on 14.10.2015 out of the wedlock between the petitioner and respondent No.2 was dismissed. It is submitted that the respondent No.2 filed a Family Suit No.26/2017 claiming for maintenance. The family Court passed order on 13.05.2017 directing the present petitioner to deposit Rs.2000/- per month by 14<sup>th</sup> of each month as an interim maintenance for the minor. It appears that petitioner did not challenge the said order as well as not paying the said interim maintenance and filed the aforementioned application for conducting the DNA test of the minor alleging that he is not biological father of the said child. Such an application is horrendously mischievous casting shadow on the character and chastity of the lady in question. Since there is no order against payment of the interim maintenance of Rs.2000/- per month and this constitutional petition challenging the order passed on the DNA application moved by the petitioner, which has been rightly refused by recording cogent reasons and considering the values enshrined in the Muslim Family Law, petitioner is directed to ensure that the interim maintenance of Rs.2000/- is paid as mandated by the family Court's order dated 13.05.2017 as well as to pay the arrears from the date of said order within 15 days hereof. Additional Registrar of this Court is also

directed to seek compliance of the family Court's order dated 13.05.2017 and file report.

The instant petition alongwith pending applications is disposed of in above terms.

JUDGE

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