

3. The learned trial Court after recording pro and contra evidence of the parties decreed the suit of the respondents No.1 to 3, vide judgment and decree dated 24.07.2019, to the extent of dissolving the marriage of respondent No.1 with the petitioner by way of Khula in lieu of her unpaid dower amount. The prayer for recovery of dower amount was declined. The respondent No.1 was granted maintenance for her *Iddat* period only at the rate of Rs.10,000/- per month and the respondents No.2 & 3 were granted maintenance at the rate of Rs.10,000/- each per month from the date of filing of the suit till the date of judgment and also future maintenance at the rate of Rs.14,000/- per month with 10% annual increment till the minor plaintiff/respondent No.3 attains the age of majority and the marriage of the plaintiff/respondent No.2 or they join the petitioner. The petitioner and the respondents No.1 to 3 preferred Family Appeals No.103/2019 and 107,2019 against the aforesaid judgment and decree, which were heard and decided by the learned Additional District Judge-VI/Model Civil Appellate Court-Ext., Karachi-Central, vide common judgment dated 05.12.2019, whereby the learned Appellate Court maintained the judgment and decree of the lower Court on the point of dissolution of marriage, dower and maintenance of respondent No.1; however, the amount of maintenance of respondents No.2 & 3 was enhanced from Rs.14,000/- per month for each child to Rs.20,000/- per month for each child. It is against that judgment, the instant petition has been preferred by the petitioner.

4. After hearing the learned counsel for the parties and perusing the material available on record, it appears that the petitioner has failed to deposit till date the difference of the maintenance amount as decided by the Appellate Court, which as per learned counsel for the petitioner comes to about Rs.400,000/-. It is a matter of record that on

17.02.2022 the petitioner sought time to make payment of Rs.20,000/- per month each for his son and daughter as directed by the trial Court. Accordingly, he was directed to deposit the same with the Nazir of Family Court within 10 days with caution that in case of failure this appeal would be dismissed on that ground alone. Whereafter on 22.03.2022, the learned counsel for the petitioner in part performance of order, dated 17.02.2022, submitted through statement receipt of amount of Rs.20,000/- deposited by him with the Nazir of the Family Court and sought time to make compliance of rest part of the order, whereby he was directed to submit educational expenses made by the petitioner for the last five years. It transpired that petitioner had not deposited the difference of the maintenance amount as decided by the learned Appellate Court; hence, he was directed to submit break up regarding payment of maintenance.

5. Today, learned counsel for the petitioner admits that about Rs.400,000/- are outstanding towards the maintenance/difference of maintenance which have not been deposited by the petitioner. Besides, the learned counsel for the petitioner failed to show any illegality or infirmity in the judgment of the learned Appellate Court for awarding maintenance of Rs.20,000/- per month each to respondents No.2 & 3. Hence, this petition is dismissed being devoid of any legal merits alongwith pending application(s).

JUDGE