

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

C.P.No.S- 712 of 2022

DATE	ORDER WITH SIGNATURE OF JUDGE
-------------	--------------------------------------

1. For orders on office objections.
2. For hearing of MA 1934/2022.
3. For hearing of main case.

27.03.2023.

Mr. Nazeer Ahmed Bhatti, Advocate for petitioner.
Mr. Imdad Ali Unar, Advocate for respondent No.1.
Mr. Ayaz Ali Rajper, Assistant A.G, Sindh.

=

Both the learned counsel have concluded their arguments. During arguments, it is pointed out by Mr. Imdad Ali Unar, learned counsel for the respondent No.1 that the judgment impugned has been acted upon as the mother of respondent led the evidence, produced the C.D (as mentioned in the impugned judgment) and was cross examined. Side has been closed. That C.D is with regard to recovery of 16 Tola gold as claimed by the present appellant-plaintiff against respondent-defendant and was upheld in the Judgment of learned Family Court, which was set aside by the learned Appellate Court in its' impugned judgment under consideration.

Since the evidence is led only to the extent of 16 Tola gold, therefore, the impugned Appellate Judgment is partly set aside. Learned Family Court will give its decision afresh only to the extent of 16 Tola gold, whereas with regard to other two components, concerning return of dowry articles or payment of Rs.500,000/- (Rupees Five Hundred Thousand) in lieu thereof and Rs.8000/- (Rupees Eight Thousand) as maintenance, the same shall remain intact (to this extent the Impugned Judgment is set aside). Learned counsel for the respondent states that he is ready to handover the dowry articles, the same can be returned in the presence of some Court official of the learned Family Court within two (02) weeks from today; but if the same is

found to be in a damaged or un-useable condition, then the amount of Rs.500,000/- (Rupees Five Hundred Thousand) shall be paid in lieu thereof as already directed by the learned Family Court.

With the above direction, this Petition stands disposed of alongwith listed Application(s).

JUDGE

Tufail