

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

C.P. No.S-305 of 2023

<b>DATE</b>	<b>ORDER WITH SIGNATURE OF JUDGE</b>
	1. For orders on office objections. 2. For hearing of main case.
<b><u>18.08.2023</u></b>	

Mr. Muhammad Zakaria Baloch, Advocate for petitioner.  
Mr. Shakir Nawaz Shar, Advocate for respondent No.2.  
==

The petitioner is impugning the order dated 17.07.2023 whereby direction for special meeting with his minor son with effect from 01.06.2023 to 31.07.2023 was dismissed by learned VIIIth Family Judge & Judicial Magistrate Hyderabad.

Learned counsel for the petitioner mainly contended that though the petitioner has placed sufficient material before learned Family Judge Hyderabad to allow him to meet his son on special occasion but the learned Judge not only dismissed his said application with delay but has not considered the fact that a father cannot be deprived for meeting.

It is argued by learned counsel for the respondent No.2 that impugned order is well reasoned as the petitioner has stepped his shoe into various proceedings though the final matter in respect of permanent custody is yet to be decided.

I have heard the learned counsel for the respective parties and have also gone through the material available on record.

The learned Judge in his impugned order has explained elaborately that fortnight meeting in terms of section 12 of Guardian & Wards Act and Eid Special meeting has already been allowed in favour of the petitioner. In view of this background, it appears that interim custody for special meeting cannot be allowed at this stage when multiple proceedings between the parties are yet to be concluded which may prejudice the case of either party. Even for the sake of argument, the stance taken by the petitioner is found reasonable but the period in which he sought the custody has elapsed since now.

For the reasons discussed above, instant constitutional petition being devoid of merit as well as infructuous is dismissed accordingly.

JUDGE