

ORDER SHEET

IN THE HIGH COURT OF SINDH, KARACHI

C.P. No.S-263 of 2023

C.P. No.S-426 of 2023

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Date	Order with signature of Judge
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- 1.For order on CMA No.4397/2024
- 2.For hearing of CMA No.2845/2024

13.05.2024

Mr. Muhammad Haseeb Jamali, Advocate for the petitioner  
Mst. Kiran, Respondent is present in person.

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1-2. This is a review application. Learned Counsel seeks review of order dated 12.02.2024 which reads as follows:-

“None present for Mr. Muhammad Moez Kaleemullah, who is petitioner in C.P. No.S-426/2023 and Respondent No.1 in C.P. No.S-263/2023. Mst. Kiran is present in person and draws Court’s attention to order dated 18.05.2023, where operation of the impugned judgment was suspended subject to furnishing of bank guarantee. It appears that no such guarantee was furnished by the said respondent while he is enjoying the stay. She further submits that the petitioner in C.P. No.S-426/2023 has even not provided the stipulated maintenance. While through C.P. No.S-426/2023 ex-husband has sought interference of this Court, where the Appellate partly allowed the appeal and dismissed the claim of past maintenance however did not pass any order with regard to the earlier maintenance, which is only awarded in the sum of Rs.10,000/- per month.

In these circumstances, C.P. No.S-426/2023 having failed to comply with interim order of this Court is dismissed. With regard to C.P. No.S-263/2023, considering the inflation and growing cost of raising the child requested base rate maintenance of Rs.22,000/- per month per child is granted.

Office to place copy of this order in connected petition.”

The present application seeks a review of the dismissal order and it is clear that the jurisdiction of this Court in review proceedings is limited to the ambit of Section 114 read with Order 47 CPC. The entire thrust of the arguments advanced by the counsel was directed towards merits of an already dismissed case and there was absolutely no effort to identify any mistake or error apparent on the face of the record or any other sufficient reason justifying a review of the Order.

This Court has duly appraised the contents of the present application and the arguments advanced by the counsel and is of the considered opinion that no grounds for review have been made out. The applicant has not demonstrated the discovery of any new and important matter which could not have been addressed earlier; has failed to identify any mistake apparent on the face of record; and finally no reason has been advanced to justify the review of the Order. It is thus the considered view of this Court that these applications are devoid of merit, hence, the same are hereby dismissed in *limine*.

The petitioner has sought clarification as to which Nazir the maintenance is to be required to be deposited by the petitioner viz this Court's order dated 12.02.2024. It is always the case that Nazir unless otherwise specified refers to the Nazir of this Court, who upon receipt of monthly maintenance should forthwith pay the same to the mother Mst. Kiran, petitioner in C.P. No.s-263/2023.

Office to place copy of this order in petitions listed above. Let the file be consigned to record.

JUDGE