

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P. No.S-321 of 2023

Date	Order with signature of Judge
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- 1.For hearing of MA No.2584/2023
- 2.For hearing of main case

26.02.2024

Mr. Muhammad Iqbal, Advocate for petitioner.
Mr. Maqbool Ahmed, Advocate for respondents.

Learned counsel for the petitioner contended that the Appellate Court has not specifically mentioned that from which date maintenance would be payable as it changed the maintenance to be paid from 2018 instead of 2016. Learned counsel for the respondent submits that at best it could be December 2018 therefore, the maintenance must be payable from the January 2019. The second arguments was with regard to the income capacity of the petitioner who was alleged to be a poor person hence the amount of maintenance be reduced, however, on the other hand, the respondent mother is present and states that even the decreetal amount of Rs.7,500/- per child (out of one has become major) is not sufficient to run the house where she has to even pay the monthly rental also. Learned counsel states that this Court should give directions to the petitioner to apply for the support from Bait-ul-Mal which I do not consider to be my call. If the petitioner thinks he qualifies for Bait-ul-Mal, he may do so, however, considering high rate of inflation I do not see any merit in decreasing the

maintenance amount of Rs.7,500/- per month per eligible child with increase of 10% per year as set by the trial Court and maintained by the appellate forum as I am of the view that any such decrease would cause injustice to the family and petitioner is 52 years old to look for the other venues to increase his income.

Petition is disposed of in above terms alongwith pending application.

JUDGE

Aadil Arab