

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C.P. No.S-817 of 2021

Date	Order With Signature Of Judge
------	-------------------------------

For hg of main case

13.08.2024.

Mr. Irfan Ali, advocate for the petitioner.

Mr. Shafqat Zaman, advocate for respondent.

==

MUHAMMAD IQBAL KALHORO, J: I have heard the parties. A Family Suit was filed by petitioner for maintenance of her and her child since 05.04.2018. The Family Court decided the suit in her favour, however, granted Rs.5000/- per month to her for Iddat period and Rs.4000/- per month as maintenance of her child. Although as per evidence, it was established that petitioner was residing separately from 05.04.2018 and divorce of her was pronounced on 11.11.2019. The maintenance for her child was given to her from the date of announcement of judgment in Family Suit viz. 14.12.2020. She filed the appeal but the same findings were maintained.

I have heard the parties and perused the material available on record. It appears that it is not disputed that after quarrel between the petitioner and her ex-husband, she had started residing separately from 05.04.2018. In the evidence, the defendant failed to produce any document regarding his monthly income. He has stated here that he is earning Rs.29,000/- per month, which keeping in view minimum wage fixed by the Govt. of Sindh, to be Rs.32,000/- per month, does not appear to be sanctified by common sense. But in any case, the parties have agreed to disposal of this petition by consent, whereby respondent would pay Rs.12,000/- per month as maintenance to his child with 10% increase per year as per law from today in addition to making payment of maintenance of petitioner for Iddat period as fixed by the Family Court.

Learned counsel for the respondent submits that he has already deposited maintenance of Iddat period in the Court in compliance of execution proceedings. The Executing Court shall confirm this fact, if he has not deposited the same, it shall be competent to take coercive action against him. In addition to above, if respondent fails to deposit Rs.12,000/- per month as maintenance to the child from this month, the Executing Court would be at liberty to take strict action against him in accordance with law.

The petition stands disposed of in the above terms.

JUDGE

HANIF

