

ORDER SHEET  
**IN THE HIGH COURT OF SINDH BENCH AT SUKKUR**  
**C. P No. S – 50 of 2024**

Date of hearing	Order with signature of Judge
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**Hearing of case**

For hearing of main case

**26.08.2024**

Mr. Illahi Bux Jamali, Advocate for the petitioner

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This petition has been filed against the judgment and decree dated 23.10.2023 of the Appellate Court, which in fact were passed upon the undertaking given before the concerned Court that the earlier granted decree to the tune of Rs.7,50,000/- will be satisfied in the manner that Rs.1,00,000/- was to be paid by the judgment debtor on 10.11.2023 and the remaining balance is to be paid on 10<sup>th</sup> date of every month in form of Rs.70,000/- installments.

Counsel for the petitioner states that petitioner is not in financial position to pay the sum of Rs.70,000/- per month nor even to pay Rs.1,00,000/-, hence preferred this petition. The fact that the petitioner agreed to have satisfied the judgment and decree in the mode and manner available at page 35, hence there are no merits in this petition, and the fact that the petitioner has no financial capacity to pay maintenance of his wife and child, cannot absolve him of his responsibilities and in failure, he has to face legal consequence. Constitutional interference in family matters is even otherwise very restricted. Petitioner cannot challenge the appellate Court's judgment through this Constitutional Petition which was passed with his consent. The Petition, which has no constitutional merits, is thus dismissed.

Judge