

ORDER SHEET  
THE HIGH COURT OF SINDH AT KARACHI

Cr. Misc. Appln No. 19 of 2021.

-----  
Date:           Order with signature(s) of the Judge(s)  
-----

1. For Orders on Office Objection at 'A'
2. For Hearing of Main Case.

08<sup>th</sup> February, 2021.

Mr. Imamuddin Chandio advocate for the applicant.

Respondent No.2 present in person a/w minors Alizey and Mehloob Fatima.

Mr. Siraj Ahmed Chandio, Addl. P.G a/w SI-Muhammad Qasim of PS Defence.

\*\*\*\*\*

Heard learned counsel for the applicant. Applicant is father and seeking custody of minors Alizey and Mehloob Fatima aged about 14 and 11 years, respectively. Admittedly children are residing with respondent No.2/step mother whereas, their real mother is no more alive. Besides, admittedly respondent No.2 is maternal aunt of both the minors. Issue of forcible custody of minors is not questioned here; however, improper custody is to be decided by the Guardian & Ward Courts. Moreover, kids are not tender age. Reference can be made in the case of Nadia Perveen Vs. Almas reported in 2012 PLD SC 238, hence, instant Cr. Misc. Application is dismissed. Applicant would be at liberty to approach Guardian & Ward Court. At this juncture respondent No.2 contends that matter with regard to welfare of minors is pending before the Guardian & Ward Court as well.

JUDGE