

ORDER SHEET  
THE HIGH COURT OF SINDH AT KARACHI

C.P No.S-229 of 2022.

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

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Hg. of Case.

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

16<sup>th</sup> March, 2022.

Mr. Qadir Hussain Khan advocate for the petitioner.  
Respondent No.5 is present in person a/w minor.  
Mr. Mohsin Ahmed, AAG.

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Pursuant to earlier order minor Rohan Ahmed aged about 7 months 26 days is produced. Hafiz Tauqeer Ahmed [respondent No.5] is present and contends that he is brother of petitioner's husband and he with consent handed over the custody of minor on the first day of scissor [caesarean] as decided between them, therefore, they also signed Adoption Deed, therefore he is foster father of minor, however, he is ready to hand over the custody of minor to his mother / petitioner but expenses occurred during this period may be recovered, as Rs.2,00,000/- were utilized by him for maintaining the minor.

In contra, petitioner and her husband present also admit that they handed over the custody of minor on the first day as there was understanding between them as well as they signed Adoption Deed and they are ready to pay Rs.1,00,000/- in installments within six months.

Accordingly, custody of minor is handed over to the petitioner today in court and petitioner is directed to deposit Rs.1,00,000/- in installments within six months from today before the Nazir of this court and respondent No.5 may withdraw the same without filing any fresh application.

At this juncture respondent No.5 contends that since he is issueless and intends to adopt an orphan, therefore, this court may help him with that respect. In this regard certain directions have already been issued to

the learned Magistrates in Benish's case that they would be competent to visit orphanage centres and allow adoption if any. Accordingly, respondent No.5 shall approach concerned Magistrate of District & Sessions Court Karachi Central, who shall facilitate him with regard to adoption of any orphan from any orphanage centre as per his choice in view of the directions already given in Benish's case.

In view of above, instant petition is disposed of with direction to learned District & Sessions Judge Karachi Central for compliance, if respondent No.5 files any application before the concerned Magistrate.

JUDGE

M.Zeeshan