

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR.
 Const. Petition No. S- 208 of 2024

DATE	ORDER WITH SIGNATURE OF HON'BLE JUDGE
------	---------------------------------------

Fresh case.

1. For orders on office objections.
2. For orders on CMA 635/2024 (stay)
3. For hearing of main case.

24.02.2025.

Mr. Ghulam Abbass Kuber, Assistant Advocate General Sindh.

Petitioner is permanently resident of Sukkur and she had already filed suit for maintenance, which was decreed and the appeal against such decree had also been dismissed and now the execution proceedings are pending before Family Judge/Presiding Officer, Consumer Protection Court, Sukkur, however, in retaliation the Respondent No.1 filed a suit for restitution of conjugal rights in Family Judge and JM-II Gambat, whereas petitioner filed Misc. Application under section 5(a)(b) of West Pakistan Family Court Rules, 1965 on which the impugned order dated 20.09.2024 has been pressed resorting the jurisdiction of the Court on the ground that plaintiff resides in Gambat. such question was raised so for jurisdiction is concerned while proceedings has already been pending in Sukkur hence impugned order being illegal, unlawful and void abinitio as it caused serious prejudice to the petitioner who has to travel from Sukkur to Gambat.

After institution of suit and notices were issued but none bothered to appear and contest the matter. This position was on 18.11.2021, 16.12.2024 though process had been issued but none was bothered to represent petitioner, no intimation received. This position on 07.02.2025 was same. Today is same position. Perhaps petitioner has lost interest to pursue the case hence the instant constitutional petition is dismissed for non-prosecution.

JUDGE

