

ORDER SHEET
 IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR.
 Const. Petition No. S- 83 of 2023

DATE	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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Application in Disposed of case.
 For non-prosecution in CMA 323/2024
 (Restoration Application)

10.02.2025.

None present for the Petitioner.

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Petitioner Nadeem Ahmed Mahar has filed a Constitutional Petition under Article 199 of the Constitution of Pakistan, 1973, contesting the Family Court's (Sukkur) judgment and decree issued on October 7, 2022, in Family Suit No. 189/2021 (Mst. Beena Naz v. Nadeem Ahmed). The Family Court's decision partly granted Mst. Beena Naz's suit, awarding her Rs. 10,000 per month in maintenance from January 2010 to the present, and Rs. 12,000 per month as future maintenance, with a 10% annual increase. The court also granted maintenance for their minor child of Rs. 7,000 per month from birth, increasing by 10% annually until the child reaches majority. Additionally, Mst. Beena Naz was awarded Rs. 150,000 for delivery expenses.

This petition was initially filed on April 20, 2023. It was scheduled for court on August 7, 2023, but the petitioner failed to appear. This happened again on the next scheduled date, September 8, 2023. On October 2, 2023, the petitioner's advocate did appear, and the case was adjourned to October 23, 2023, and then to November 13, 2023. However, the petitioner still did not appear, nor was any communication received from them. Consequently, the petition was adjourned to May 10, 2024, but with no appearance or communication from the petitioner, the petition was dismissed for non-prosecution. On June 8, 2024, the petitioner's counsel filed CMA 323/2024 to reinstate the petition. This

application remained pending and was finally scheduled for a hearing on January 27, 2025, at which point it was adjourned as a final opportunity.

The petitioner and his counsel failed to appear in court today, and no communication has been received explaining their absence. Given the petitioner's apparent disinterest in pursuing this matter, this court finds no reason to further delay proceedings. Therefore, the pending application for reinstatement (CMA 323/2024) is dismissed, especially in light of the previous unfavorable rulings against the petitioner in the lower courts.

JUDGE

Irfan/PA

