

ORDER SHEET
IN THE HIGH COURT OF SINDH KARACHI

Const. Petition No. S-1061 of 2022

Date	Order with signature(s) of Judge(s)
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Hg:/Priority.

1. For hearing of Misc. No.7646/2022
2. For hearing of main case.

24.12.2025.

Mr. Pervez Ahmed Mastoi, Assistant Advocate General Sindh.

This petition is directed against the order dated 28.11.2022 passed by the VII Additional District & Sessions Judge (South) Karachi in Family Appeal No.218 of 2022 (re: Mubashir Hanif v. Mst. Sadaf Zahid & another) and order dated 23.08.2022 passed by the XXth Family/Civil Judge (South) Karachi.

Learned counsel for the petitioner submits that the petitioner has been directed to pay the school fee but the amount has not been mentioned by Family court in judgment and decree. He prays that the impugned order be set aside and matter be remanded back to the trial court to pass an order afresh.

Learned AAG submits that there is no illegality in the impugned order as executing court has passed an order for the satisfaction of the decree passed in Family Suit No.673 of 2015.

Heard arguments, perused the material available on record.

It appears that vide the impugned order the learned Executing Court allowed the execution application and, in the last paragraph thereof, observed that the Court cannot go beyond the decree. Since the petitioner was directed to pay the school fees of the children, which vary from time to time as per the level of education, if there is any issue regarding fixation of the amount of fees, the petitioner has an alternate remedy to file an appropriate application before the same Court seeking clarification/information as to the amount required to be paid to the school. No illegality or infirmity in the impugned order has been pointed out. Hence, this petition, being devoid of merit, is hereby dismissed with no order as to costs.

JUDGE