

ORDER SHEET
IN THE HIGH COURT OF SINDH,
CIRCUIT COURT, HYDERABAD

C.P. No.S-701 of 2025

C.P. No.S-702 of 2025

DATE	ORDER WITH SIGNATURE OF JUDGE
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22.12.2025

Mr. Muhammad Arshad S.Pathan advocate for petitioner along with petitioner.

Barrister Jawad Ahmed Qureshi advocate files Vakalatnama on behalf of respondent No.1, taken on record.

Respondent No.1 is present along with her three minor children.

By consent of the learned counsel for the parties, the captioned petition(s) are **disposed of** in the following terms:-

- (i) Impugned Consolidated Judgment and decree dated 19.03.2025 respectively passed in Family Suit No.544/2022, Family Suit No.1310/2022 and Guardianship Application No.225 of 2022 by learned Civil Judge/Judicial Magistrate/Family Judge-VII, Hyderabad and the Consolidated Judgment and Decree dated 22.10.2025 respectively passed in Family Appeals No.47, 48, 49 of 2025, Guardian & Wards Appeals No.10 and 11 of 2025 by learned VIth Additional District Judge/MCAC-II, Hyderabad are set aside to the extent of custody of minors only.
- (ii) Since a fresh issue of second marriage by Mst. Nazneen Ali is surfaced as per learned counsel for the petitioner and she is residing at Islamabad along with her kids against order passed by the learned Trial Court as well as Appellate Court, as such, the matter is remanded back to the learned trial Court/Civil Judge/Judicial Magistrate/Family Judge-VII, Hyderabad to decide this issue by recording evidence of the parties.
- (iii) The learned trial Court after recording evidence of the parties would decide the issue of the custody of minors namely

Muhammad Zorain, Baby Anbia and Baby Abiha afresh on the basis of fresh development, if any, in accordance with law coupled with any breach during the intervening period of impugned judgments.

- (iv) The learned trial Court shall decide the cases as stated above within a period of two months positively.
- (v) Till the fresh judgment is passed, as an interim arrangement, Mst. Nazneen Ali shall produce her minor children before the learned trial Court on **03.01.2026** and then on every alternate Saturday and in case of any public holiday, she will produce the minors on following Monday without fail.
- (vi) Mst. Nazneen Ali shall not claim any fare of travelling with regard to the meeting of her children with their father namely Shumaz Aijaz.

The petition(s) stands **disposed of** in the above terms along with pending application(s), if any.

JUDGE