HIGH COURT OF SINDH CIRCUIT COURT, HYDERABAD

C.P No.S-590 of 2026

[Mst. Anam vs. Province of Sindh and others]

Petitioner:	Through Mr. Saad Salmani Ghani advocate a/w petitioner
Official respondents:	Through Mr. Allah Bachayo Soomro Additional A.G Sindh and Mr. Siraj Ahmed Bijarani Assistant P.G Sindh a/w Inspector Manzoor Ali and ASI Mansoor
Private respondent	In person a/w minors
Date of hearing	05.11.2026
Date of Decision	05.11.2026

O R D E R

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ADNAN-UL-KARIM MEMON J:- Through this petition filed under Article 199 of the Constitution of Islamic Republic of Pakistan 1973 the petitioner seeks production of minors namely Hiba aged about 12 years and Hamza aged about 06 years and for affording her reasonable communication and access to the minors in accordance with law.

2. Counsel for the petitioner submits that marriage between petitioner and respondent No.4 was solemnized on 21.03.2013 and out of the said wedlock two children, named above, were born. He states that during subsistence of said marriage the respondent No.4 contracted second marriage and as such the marriage of petitioner and respondent No.4 ended by way of dissolution. He states that after dissolution of marriage a settlement arrived at between the petitioner and respondent No.4 whereby respondent No.4 agreed to give access to petitioner/mother to the children and allow her to meet with them, but he is not abiding by the said settlement, while the step-mother of minors is maltreating them, hence this petition. If this is true, this is apathy, which cannot be tolerated at any cost.

3. The respondent No.4/father is present alongwith both minors. He states that since dissolution of marriage minors are under his care and custody being their natural guardian. He states that both minor are getting quality education alongwith other available facilities. He denies the allegations of maltreatment of minors by their step-mother. He also undertakes that he will not cause any restriction for the petitioner/mother to meet with the minors as and when she desires.

4. Both minors are present before the Court, who are prima face well manner and intelligent preferred to live with their father. On being asked that with whom they wanted to live, both the minors state that they intent to continue to live with

father/respondent No.4. Mother has no objection subject to her visitation rights. Primarily such rights are always available to her and no restriction can be imposed.

5. In view of the above, the purpose of instant petition stands served and the same stands disposed of without touching its merits. However, the respondent No.4/father is directed not to cause any restrictions for the minors and/or their mother/petitioner to meet with each other, as and when they desire and the respondent No.4/father will facilitate them all the time.

JUDGE

Sajjad Ali Jessar