

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
C. P. NO. S-27 / 2014

ORDER WITH SIGNATURE OF JUDGE

- 1) For orders on CMA NO. 96/2014.
- 2) For orders on office objection as at 'A'.
- 3) For orders on CMA NO. 97/2014.
- 4) For katcha peshi.
- 5) For orders on CMA NO. 98/2014.
- 6) For orders on CMA NO. 99/2014.

9.1.2014.

Mr. Basil Nabi Malik for petitioner.
Petitioners Faysal Amin, Maher Bin Faysal,
Hamdan Bin Faysal and Nasreen Siddiqui
present in person.

- 1) Granted.
- 2) Deferred.
- 3) Granted subject to all just exceptions.

4 to 6) It is contended by the learned counsel that the petitioner No. 1 was married with respondent No. 3 thereafter, due to certain differences they could not continue and live as husband and wife, consequently, the petitioner has divorced the respondent No. 3 vide Divorce Deed dated 31.12.2013. Per learned counsel, respondent No. 3 prior to this, had left the house of the petitioner No. 1 as well as petitioners No. 2 & 3 who are minor children. He further submits that thereafter the respondent No. 3 has been threatening and using unlawful means to take the custody of the petitioners No. 2 & 3. He has also referred to the text messages purportedly which have been sent from the mobile number which is in the name of the respondent No. 3. According to learned counsel besides being threatening, these

messages have used abusive language against the petitioner No. 1 as well as his mother who is the petitioner No. 4. Learned counsel further submits that the respondent No. 3 has also filed a habeas corpus petition under Section 491 Cr.P.C before the Court of District Judge, Karachi South which is fixed on 11.1.2014 and the petitioner No. 1 is also contesting the same.

Let notice be issued to the respondents for 23.1.2014. Till then the respondent No. 3 is directed to strictly act in accordance with law and shall not make any attempt to take away the custody of the petitioners No. 2 & 3 except as provided under the law. However, this observation shall not have any effect on the proceedings pending before the learned District Judge, Karachi South in the petition under Section 491 Cr.P.C.

J U D G E

ARSHAD/