

**ORDER SHEET.**  
**ISLAMABAD HIGH COURT, ISLAMABAD.**  
**JUDICIAL DEPARTMENT.**

**E.F.A.No.01/2021**  
**Mst. Abida Zakir**  
**Vs.**  
**Raja Aman Ullah and another**

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	26.01.2021.	Raja M. Khan, Advocate for the appellant.

Through the instant execution first appeal, the appellant, Mst. Abida Zakir, impugns the judgment dated 04.01.2021, passed by the Court of the learned Additional District Judge, Islamabad, whereby the appellant's execution petition under section 44-A of the Code of Civil Procedure, 1908 for the enforcement of the judgment dated 06.07.2018 and decree dated 07.11.2019, passed by the Family Court at Central Family Court United Kingdom, was dismissed. The sole ground on which the learned Court below dismissed the said execution petition was that earlier an application filed by the appellant for the execution of the interim order dated 06.10.2015 passed by the Foreign Court was disposed of by the Court of the learned Additional District Judge, Rawalpindi after respondent No.1's statement was recorded to the effect that the properties the execution whereof was sought, would not be disposed of.

Learned counsel for the appellant submitted that the learned Court below erred by not appreciating that at the time when the proceedings before the Court of the learned Additional District Judge, Rawalpindi were disposed of through order dated 15.02.2017, the foreign judgment and decree in question had not even been passed; and that this is a glaring

jurisdictional irregularity on the part of the learned Court below.

Issue notice to the respondents through courier as well as registered A.D. at the appellant's expense.

Relist on 16.02.2021.

C.M. No.01/2021

Exemption sought for is allowed, subject to all just and legal exceptions.

C.M. No.02/2021

Notice.

**(MIANGUL HASSAN AURANGZEB)  
JUDGE**

*\*Sanaullah\**