

Form No: HCJD/C-121
ORDER SHEET.
IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

Writ Petition No.3587 of 2021

Umer Farid Khan.

VS

Dr. Syeda Uzma Saeed and 02 others.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
02.	13.10.2021	Mr. Sher Afzal Khan Marwat and Ch. Usama Tariq, Advocates for the petitioner.

Through the instant petition, the petitioner has called in question orders dated 06.10.2016 and 18.09.2021, whereby objection petition filed by the petitioner was not entertained and the order for return of the gold was not passed by the courts below.

2. Learned counsel for the petitioner, *inter-alia*, contends that it is categorically mentioned in the order regarding dissolution of marriage that the marriage has been dissolved and respondent No.1 was liable to return 25-Tolas gold ornaments, which she received against the dower but the said gold has not been returned and the objection petition filed by the petitioner was not entertained, vide the impugned order and objection petition was dismissed. Learned counsel for the petitioner has placed reliance on cases reported as "*Mst. Hamidan Begum*

Vs. Abdul Riaz and 02 others” (1993 CLC 2170), “Syed Muhammad Vs. Mst. Zeenat and others.” (PLD 2001 SC 128), “Syed Muhammad Vs. Mst. Zeenat and others.” (PLD 2001 SC 128), “Mst. Zakiya Bibi and another Vs. Murtaza Shah and 2 others” (2018 YLR 1501) and “Sher Zaman Vs. Mst. Mahzari and 2 others” (2018 YLR 128). Learned counsel further contends that the impugned orders are passed in violation of the dictum laid down by superior courts of the country, hence same are liable to be set-aside.

3. Points raised, need consideration.
Notice to respondent No.1.

4. Re-list after two weeks.

C.M. No.01 of 2021.

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

C.M. No.02 of 2021.

Notice.

**(TARIQ MEHMOOD JAHANGIRI)
JUDGE**