

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

Writ Petition No.2792 of 2021

Syeda Bint-e-Zehra.  
VS

Learned Judge Family Court-West, Islamabad 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.
01.	06.08.2021	Syed Ishfaq Hussain Naqvi, Advocate for the petitioner.

Through the instant petition, the petitioner has impugned order dated 29.07.2021, passed by learned Judge Family Court-West, Islamabad, whereby application for interim relief filed by the petitioner was dismissed.

2. Learned counsel for the petitioner, *inter-alia*, contends that it is clearly mentioned in the *Nikahnama* that plot in Sector B-17 has been given to the petitioner as a gift against the dower by respondent No.2 and *Iqrarnama* in this regard has also been executed, respondent No.2 has not denied the contracting of marriage, execution of the *Nikahnama* and execution of *Iqrarnama*. Though the execution of *Iqrarnama* has been challenged but no final decision has been given in this regard. It is also mentioned in the impugned order that the petitioner has a prima facie case but

injunctive order was not passed and application for interim relief was dismissed. Learned counsel further contends that during pendency of the suit, if the property is transferred or alienated to anyone else, the petitioner will suffer irreparable loss and at the end if decree is passed, the instant exercise is futile, hence the impugned order is liable to be set-aside.

3. Points raised, need consideration. Notice to the respondents.

4. Re-list on **25.08.2021.**

**C.M. No.01 of 2021.**

Notice. Meanwhile, respondent No.2 is restrained from alienating the suit property to anyone else. Restraining order shall cease to exist and expire automatically, if not extended specifically on the next date of hearing.

**C.M. No.02 of 2021.**

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

**(TARIQ MEHMOOD JAHANGIRI)**  
**JUDGE**