

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

W.P.No.4233/2021
Yasmeen Bibi
Vs.
Zeeshan Ali and others

| S. No. of order/ proceedings | Date of order/ Proceedings | Order with signature of Judge and that of parties or counsel where necessary. |
|---------------------------------|-------------------------------|--|
| | 03.12.2021. | Mr. Jameel Hussain Qureshi, advocate for the petitioner. |

Through the instant writ petition, the petitioner, Yasmeen Bibi, impugns the consolidated judgment and decree dated 02.10.2021 passed by the Court of the learned Additional District Judge, Islamabad, whereby the petitioner's appeal against the judgment and decree dated 12.07.2021, passed by the Court of the learned Senior Civil Judge, Islamabad, was dismissed.

Learned counsel for the petitioner drew the attention of the Court to entry No.17 in the *Nikahnama* according to which, upon pronouncement of divorce, respondent No.1 was liable to pay an amount of Rs.500,000/- to the petitioner. Learned counsel for the petitioner submitted that the said provision in the *Nikahnama* has been declared as unlawful by the learned trial Court; that the learned appellate Court erred inasmuch as the payment of

Rs.500,000/- was not a condition for a divorce, but upon the divorce having been pronounced, the said amount would become due and payable to the petitioner.

Issue notice to respondent No.1.

Relist.

C.M. No.01/2021

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

(MIANGUL HASSAN AURANGZEB)
JUDGE

Sanaullah