

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

Writ Petition No.3961 of 2021

Bilal Aslam.

VS

Faiza Mahmood and another.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
01.	09.11.2021	Mr. Saad Ahmad Rajpoot, Advocate for the petitioner.

Through the instant petition, the petitioner has assailed order dated 05.10.2021, passed by learned Senior Civil Judge-II, (Guardian), East-Islamabad, whereby interim maintenance of respondents No.1 at the rate of Rs.10,000/- per month has been fixed.

2. Learned counsel for the petitioner, *inter-alia*, contends that respondent No.1 has left the house with her free will and accord, petitioner is ready to provide accommodation and all basic necessities of life but deliberately and willfully respondent No.1 has left the house of petitioner, hence she is not entitled for interim maintenance. Even the petitioner has made prayer for restitution of conjugal rights in his written statement but instead of living with the petitioner and performing matrimonial obligations according to injunctions of Islam, respondent No.1 is

deliberately and willfully avoiding to perform her matrimonial obligations, hence the impugned order is liable to be set-aside.

3. Points raised, need consideration. Notice to the respondents. Petitioner is also directed to place all the relevant documents on record through separate C.M.

4. Re-list.

C.M. No.01 of 2021.

Notice.

C.M. No.02 of 2021.

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

(TARIQ MEHMOOD JAHANGIRI)
JUDGE