

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

Writ Petition No.2671 of 2021

Syeda Ammara Shahryar.
VS
Muhammad Shahryar Khan and 05 others.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
01.	27.07.2021	Mr. Ahmad Shahzad Awan, Advocate for the petitioner.

Through the instant petition, the petitioner seeks directions to respondents No.3 to 5 to recover the minors from the illegal and improper custody of respondents No.1 & 2 and to produce them before this Court.

2. Learned counsel for the petitioner, *inter-alia*, contends that the petitioner is real mother of the minors namely Rooh Ali Khan born on 19.09.2005 and Muhammad Jibraeel Ali Khan born on 10.07.2010, respondent No.1 is real father of the minors and since 2019 he has taken the minors and whereabouts of the minors are not known. The petitioner has filed petition for custody of the minors before learned Family Court, Islamabad wherein respondent No.1 has proceeded ex-parte. Respondent No.2 is real sister of respondent No.1, who appeared in the Court but did not disclose whereabouts

of the minors rather filed a petition for deletion of her name, which was dismissed. The grievance of the petitioner is that it is a basic and fundamental right of the petitioner that whereabouts of the minors should be known to her, so that she should proceed for custody of the minors.

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

4. SHO, Police Station Golra Sharif, Islamabad is directed to effect service of notice upon respondents No.1 and 2 and also to ensure presence of respondent No.1 in this Court positively on the next date of hearing.

5. Re-list in the next week.

C.M. No.01 of 2021.

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

(TARIQ MEHMOOD JAHANGIRI)
JUDGE