

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

Writ Petition No.254 of 2022

Shumaila Shaukat and another.

VS

Syed Ather Ali Shah 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.	07.02.2022	Khawaja Hasan Riaz, Advocate for the petitioners.

Through the instant petition, the petitioners have impugned judgment and decree dated 27.09.2021, passed by learned Senior Civil Judge-III (Guardian Judge), West-Islamabad as well as judgment and decree dated 13.12.2021, passed by learned Additional District Judge (MCAC)-West, Islamabad, whereby appeal filed by the petitioners was dismissed. The petitioners are also aggrieved regarding fixation of the schedule of visitation between the parties.

2. Learned counsel for the petitioners, *inter-alia*, contends that it is categorically mentioned by the learned Trial Court in para No.30 of the impugned judgment that father of minor / respondent No.1 has failed to provide past maintenance to the minor / petitioner No.2 but in the concluding para no relief regarding payment

of past maintenance has been granted and suit has been partially dismissed, impugned judgments and decrees to the extent of non-entitlement of past maintenance and schedule of visitation rights are erroneous and are not tenable under the law, hence liable to be set-aside.

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

4. Re-list.

C.M. No.01 of 2022.

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

(TARIQ MEHMOOD JAHANGIRI)
JUDGE