

ORDER SHEET
IN THE ISLAMABAD HIGH COURT, ISLAMABAD
JUDICIAL DEPARTMENT

W.P.No.2884 of 2021
Mst. Palwasha Amjad and another
Vs.
Yasir Hashim Khan and others

S. No. of order / proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	13.08.2021	Raja Amir Shahzad, advocate for the petitioners.

Through the instant writ petition, the petitioners impugn the judgment dated 29.07.2021, passed by the Court of the learned Additional District Judge, Islamabad, whereby their appeal against the order dated 11.06.2021, passed by the learned Executing Court was dismissed. Vide said order dated 11.06.2021, the learned Executing Court dismissed the petitioners' application for recording the statement of the minor (Muhammad Musa Hashim Khan) so that the visitation rights of the minor's father are altered and the minor is not taken to his father's native village.

2. The visitation schedule was fixed vide judgment and decree dated 21.11.2019, passed by the learned Guardian Judge. It is well settled that the Executing Court cannot go behind the decree. Additionally, in the instant case, the petitioners' earlier application for recording of the minor's statement had been dismissed vide order dated 02.01.2021. After this, the petitioners have tried to make a second attempt to have the minor's statement recorded with the intention of altering the visitation schedule and the place of visitation. This

cannot be done in the execution proceedings.

3. In view of the above, the instant writ petition is dismissed in *limine*. Let writ petition No.3244/2020 be fixed in the month of October, 2021.

**(MIANGUL HASSAN AURANGZEB)
JUDGE**

Sultan*

