

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

Writ Petition No.4525 of 2021

Nasrullah Khan.

VS

Senior Civil Judge-II (Guardia) (East), Islamabad 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.
07.	21.09.2022	Mr. Zia-ur-Rehman Gondal, Advocate for the petitioner. Mr. Zaheer Ullah Jan, Advocate for respondent No.2. Malik Zafar Iqbal Awan, Advocate for respondent No.3 / CDA.

During the course of arguments, learned counsel for the petitioner submits that total amount of Rs.18,00,000/- approximately has been paid to respondent No.2 and decretal amount has been realized, whereas learned counsel for respondent No.2 has controverted the arguments advanced by learned counsel for the petitioner and submits that only an amount of Rs.10,00,000/- has been paid and balance decretal amount is liable to be paid by the petitioner.

2. Learned counsel for both the parties have submitted statements of account but this Court cannot verify the

contents of statements of the account submitted by both the parties.

3. In view of above, the impugned orders dated 11.10.2021 and 12.04.2021, passed by learned Senior Civil Judge-II / Guardian Judge-East, Islamabad are set-aside. Both the learned counsel for the parties are directed to file their statements of account before learned Executing Court, who shall verify the contents of the statements of account and if decretal amount has been realized then decide the fate of the case in accordance with law and if some decretal amount is liable to be paid by the petitioner / judgment debtor, learned Executing Court shall adopt coercive measures for effecting recovery of decretal amount. Meanwhile, the petitioner is directed to continue the payment of monthly maintenance to the minors as decided by learned Judge Family Court.

4. With the above direction, instant petition is **disposed of**.

(TARIQ MEHMOOD JAHANGIRI)
JUDGE