

ORDER SHEET
IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
(JUDICIAL DEPARTMENT)

W.P no.112/ 2022

Muhammad Noman Shafique
versus
Saman Noor, etc.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
	09.02.2022	Mr. Hakim Khan, Advocate for the petitioner.

The petitioner prays for setting aside the order dated 23.09.2021 passed by learned Family Court, Islamabad-West, whereby the earlier order dated 17.07.2021 for interim maintenance was confirmed on refusal of the petitioner/defendant to pay the interim maintenance. A decree for maintenance was drawn up accordingly.

2 Learned counsel states that the decree of maintenance passed by the learned Family Court was never appealed against and it had become time barred. He now prays for this Court in its Constitutional jurisdiction to interfere with the decree of the learned family Court. This cannot be done. The petitioner cannot jump the remedy of appeal and come straight to this Court in a writ petition after his right of appeal has become time barred.

3 This petition is **dismissed**.

(SARDAR ÉJAZ ISHAQ KHAN)
JUDGE

Rem. M. 1/2