

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

W.P no.246/ 2022

Asif Baloch

Versus

Rabia Yaqoob, and others

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
01	25.01.2022	Ms. Zareen Kanwal, Advocate.

This writ petition is against the impugned order of attachment dated 15.10.2021, whereby the learned executing Court attached one half of the salary of the petitioner. It transpires from the record that a miscellaneous application for removal of the attachment was filed by the petitioner on 10.11.2021. Learned counsel states that the said application is not being decided and she is being prejudiced thereby.

2 I do not see how this Court sitting in Constitutional jurisdiction can interfere with the order of attachment passed by the learned executing Court in the absence of any patent illegality, which has not been shown to the Court. Learned counsel has attempted to take me to the merits of the underlying case, but it is not for me to look at them when the decree stood passed on 29.06.2019 and the order impugned before me is an order of attachment of salary passed on 15.10.2021 for executing that decree. However, to the extent that the petitioner is being prejudiced by his pending application dated 10.11.2021 not being decided, this Court can and does direct the learned executing Court to decide the said application without much delay, preferably within 30 days.

3 With the aforesaid observation, this petition is **dismissed.**

(SARDAR EJAZ ISHAQ KHAN)
JUDGE