

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

Writ Petition No.2858 of 2021

Shahid Siraj.

VS

Mst. Maleeha Basher and 03 others.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
04.	20.10.2021	Malik Karim Bukhsh Awan, Advocate for the petitioner.

Through the instant petition, the petitioner has assailed order dated 17.06.2021, passed by learned Senior Civil Judge-II, East-Islamabad, whereby interim maintenance at the rate of Rs.50,000/- for each minor per month has been fixed.

2. Learned counsel for the petitioner, *inter-alia*, contends that vide impugned order learned Trial Court has fixed interim maintenance at the rate of Rs.50,000/- for each minor per month, which is very exorbitant and is not according to financial position of the petitioner. The petitioner has also purchased three story house in the name of his wife and children, respondents are residing in one portion and getting monthly rent of other two portions, documents showing transfer of house in the name of respondents are placed on record and the petitioner is also ready to pay

monthly maintenance according to his financial status but the impugned order is very harsh and liable to be set-aside. Learned counsel has placed reliance on cases reported as "*Muhammad Touseeq Danial Bhatti v. Ayesha Naeem and 2 others*" **(2021 MLD 337)**, "*Dr. Aqueel Waris v. Ibrahim Aqueel Waris*" **(2020 CLC 131)** and "*Asim Ali v. Hira Asim and others*" **(2019 YLR 2153)**.

3. Points raised, need consideration.
Notice to the respondents.

4. Re-list.

C.M. No.01 of 2021.

Notice.

C.M. No.02 of 2021.

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

(TARIQ MEHMOOD JAHANGIRI)
JUDGE