

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

**W.P no.618/ 2022**

Naveed Arshad  
*versus*  
Mst. Khalood Muir and other

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
01	22.02.2022	Mr. Adnan Iqbal, Advocate.

Learned counsel submits that the learned appellate court while passing the impugned order dated 08.01.2022 failed to take into account the medical certificates of the illness of his parents explaining the delay of 3 days in filing the appeal and it was an error patent on the face of the record. Further states that the judgment and decree passed by the learned Family Court is not sustainable in law for (i) granting maintenance to the wife during the subsistence of marriage despite not living with the husband, and (ii) the personal expenses of the petitioner not being taken into account in setting the maintenance for the wife and the minor child. Points raised need consideration.

2 Admit. Let notice be issued to the respondents for **09.03.2022.**

3 Learned counsel also seeks permission to place on record his complete application filed before the learned appellate court annexing the medical certificates of his parents' illness. He shall do so by filing certified copies of the appellate Court's record in this behalf through an application before the next date of hearing.

**C.M No.1/ 2022**

Notice for the aforesaid date.

**C.M No.2/ 2022**

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

**(SARDAR EJAZ ISHAQ KHAN)**  
**JUDGE**

*Rana M. Ift*