

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

Writ Petition No.3339 of 2020

Mst. Rubina Ehtisham

Vs.

Mst. Fatima Ali, etc

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
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15.06.2022. Rana Saeed Afzal, Advocate for the Petitioner/proxy counsel for the Petitioner in the instant petition as well as W.P. No.3987/2020.

Mr. Muhammad Waqas Malik, Advocate for the Respondents in the instant petition as well as W.P. No.3987/2020, 4090/2021, 4168/2021, 4171/2021 and for the Petitioner in W.P. No.2042/2022 (Mst. Fatima Ali).

Mr. Muhammad Sannan Khan, Advocate/proxy counsel for the Petitioner in W.P. No.4168 & 4171 of 2021 and for the Respondent in W.P. No.4090/2021 (Mst. Rubina Ehtasham).

Learned counsel for the Respondents (Mr. Muhammad Waqas Malik, Advocate) has explained that Petitioner No.1 is widow and Petitioner No.2 is minor son of Syed Ali Ehtisham, the deceased, whereas, Respondent No.1 is the mother and Respondents No.2 to 4 are siblings of the deceased. It appears that there is multiple litigation going on between the parties on various issues including guardianship of the minor as well as share in various assets of the deceased. Currently, guardianship and custody of the minor is with the mother who has also challenged the visitation rights granted to the grandmother, uncle and aunt. On the last several dates, learned counsel for the parties stated that parties are in the process of negotiation, however, on the last date such negotiation has failed.

2. Learned proxy counsel submits that learned principal counsel for the Petitioner in the instant petition as well as W.P.

No.3987/2020 is busy before Honourable Supreme Court and a request for adjournment has been made on his behalf. Whereas, learned proxy counsel appear on behalf of learned principal counsel for the Petitioner in W.P. No.4168 & 4171 of 2021 and for the Respondent in W.P. No.4090/2021 submitted that learned principal counsel is on maternity leave.

3. Learned counsel for the Respondents in the instant petition as well as W.P. No.3987/2020, 4090/2021, 4168/2021, 4171/2021 and for the Petitioner in W.P. No.2042/2022 vehemently opposed the request for adjournment and drew the Court's attention to W.P. No.2042/2022 whereby he has prayed for appropriate order for expeditious disposal of the matters pending before the learned Civil Judge in light of the Honourable Supreme Court ruling and circulars of this Court in this regard.

4. In view of above, absolute last opportunity is granted to the learned counsel for the parties in all the connected petitions to argue the matter on the next date of hearing. It is made clear that no further adjournment shall be granted and in case of failure matter shall be decided on the basis of available record after hearing the parties in attendance. In case learned principal counsel for the Petitioner in W.P. Nos.4168 & 4171 of 2021 and for the Respondent in W.P. No.4090/2021 is not back from the maternity leave, the firm shall depute another counsel or the party is directed to appoint another counsel to pursue the matter.

5. Relist on **29.07.2022.**

(SAMAN RAFAT IMTIAZ)
JUDGE