

## **ORDER SHEET.**

**IN THE ISLAMABAD HIGH COURT, ISLAMABAD.**  
**JUDICIAL DEPARTMENT.**

**Writ Petition No.606 of 2020.**

**Pervez**  
**Vs.**  
**Huma Israr and others**

<b>S. No. of order/ proceedings</b>	<b>Date of order/ proceedings</b>	<b>Order with signature of Judge and that of parties or counsel where necessary.</b>
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**31.08.2022.**

**Petitioner in person.**

**Rana Ghulam Rasool, Advocate for the  
Respondents No.1 and 2.**

The Petitioner appears in person and requests yet once again for adjournment on behalf of his counsel, who is reported to be out of city.

2. On the other hand, the learned counsel for the Respondents drew the attention of this Court to the last order dated 29.07.2022, wherein it has been recorded that learned counsel for the Respondents stated that despite orders of the Trial Court as well as Appellate Court no amount has been paid towards the maintenance of the minor/Respondent No.2 till date and on the basis of such statement, the Petitioner was directed to apprise this Court as to whether or not maintenance is being paid for the minor/Respondent No.2 and that in case of non-payment of the maintenance or insufficient amount, instant writ petition shall not be entertained.

3. Today, the learned counsel for the Respondent No.1 submitted that no amount whatsoever has been paid by the Petitioner towards the maintenance of the minor/Respondent No.2, which was not controverted by the Petitioner.

4. In view of the foregoing, this Court announced dismissal of the instant petition. However, it has been noted that the Respondents No.1 and 2 were declared to be proceeded against ex-parte on 20-10-2020 and no application for setting aside the said order is available on the record. Moreover, the impugned judgment and decree, whereby the maintenance was fixed for the Respondents was suspended by this Court vide order dated 17.11.2020. Since then, the Petitioner appears to be lingering on the matter and requesting for adjournment on repeated basis.

5. Therefore, in view of above, the stay granted vide order dated 17.11.2020 stands vacated as in any event it was granted till the next date and was not extended thereafter. The Petitioner is given last opportunity to pursue his case and it is made clear that in case of non-appearance or request for adjournment for any reason, whatsoever, matter shall be dismissed for non-prosecution. Office is directed to fix the matter for hearing on **07.09.2022** after intimation to the Petitioner.

R\ANJAM

**(SAMAN RAFAT IMTIAZ)**  
**JUDGE**