

ORDER SHEET.

IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

Writ Petition No. 3193/2021

Muhammad Jahangir Badar.

Versus

The Additional District Judge (East), Islamabad & others.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
(01)	13.09.2021	Malik Muhammad Zubair, Advocate for the petitioner.

The petitioner is aggrieved by (i) the judgment passed by the learned Family Court dated 11.12.2020, pursuant to which the custody of the petitioner's and respondent's No.3 son (minor) has been awarded to respondent No.3 alongwith an order of maintenance of the children together with payment of maintenance allowance to respondent No.3 till completion of her iddat period, and (ii) the judgment passed by the learned Additional District Judge dated 16.07.2021, pursuant to which the judgment of the learned Family Court has been upheld.

2. The learned counsel for the petitioner states that the learned appellate Court has passed the impugned judgment without application of mind. That while upholding the judgment of the learned Family Court which awarded the maintenance of Rs.6,000/- to

respondent No.3, the learned appellate Court has enhanced it to Rs.15,000/- without stating any reason. He further states that the learned appellate Court has misstated that the custody of respondent No.4 is with the petitioner as evident from the judgment of the learned Family Court. He further submits that the judgment of the learned Family Court also suffers from infirmities as in the interest of welfare of the minors, son and daughter of the petitioner and respondent No.3 age six year, should have been granted to the petitioner and not respondent No.3.

3. Issue notices to respondents No.3 & 4 for 07.10.2021, who may file any para-wise comments within a period of two weeks.

C.M. No. 01/2021

Notice.

**(BABAR SATTAR)
JUDGE**