

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.
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08.

26.04.2022

Malik Karim Bukhsh Awan, Advocate for the petitioner.

Mr. Ashfaq Ahmad Khan, Advocate for respondents No.1 to 3.

Objection Case No.16949 of 2021 in C.M.

Office has raised objections to the filing of the instant application, which are reflected at serial Nos.8, 26, 37 and 38 of the objection sheet.

2. Office has raised objection to the filing of the instant application that since the first stay application is pending, so second stay application is not entertainable.

3. Perusal of file shows that first stay application is already pending, therefore, the instant stay application is not maintainable.

4. In view of above, office objections are **sustained**.

Main Case.

5. At the very outset, learned counsel for respondents No.1 to 3 submits that he has no objection if the instant petition is allowed with the direction to the petitioner to keep on paying the interim maintenance at the rate of Rs.15,000/- per child per month in compliance of order dated 15.11.2021, passed by this Court, till final decision of the family suit, which is pending adjudication before learned Judge Family Court, Islamabad, however, after final decision of the case the petitioner will be liable to pay maintenance as per verdict of learned Judge Family Court, Islamabad.

6. In view of the statement made by learned counsel for respondents No.1 to 3, instant petition is **disposed of** with the direction to the petitioner to keep on paying the interim maintenance at the rate of Rs.15,000/- per child per month till final decision of the family suit filed by

respondents No.1 to 3, which is pending before learned Judge Family Court, Islamabad. Learned Judge, Family Court, Islamabad is directed to decide the suit expeditiously, however, final quantum of the maintenance will be according to the decision of suit pending before the learned Judge Family Court, Islamabad.

(TARIQ MEHMOOD JAHANGIRI)
JUDGE

M. Zaheer Janjua

FOR READ ONLY (UNCERTIFIED COPY)