

**IN THE COURT OF _____ CIVIL/FAMILY JUDGE KARACHI-EAST
FAMILY SUIT NO._____ OF 20**

1.

.....Plaintiffs
VERSUS
.....Defendant

**SUIT FOR DISSOLUTION OF MARRIAGE BY WAY OF KHULA,
RECOVERY OF DOWRY ARTICLES AND MAINTENANCE**

The Plaintiffs respectfully submits as under:

1. That the Nikkah was solemnized between the Plaintiff No.1 and the Defendant on 08.09.2018 at Karachi, against a dower amount of Rs.5,000/-, payable on demand which is still not paid by the defendant. After performing Nikah, Rukhsati took place on the same day and the plaintiff No.1 shifted to the house of defendant

The copy of CNIC of plaintiff and Nikahnama are annexed herewith as annexure P & P/1.

2. That after the marriage, Rukhsati took place and the marriage was consummated. Out of the wedlock 01 issue (1 baby boy) namely Master _____ (aged about 3 years) was born on 17.07.2019 (referred to as the “**Minor**”). It is pertinent to apprise this Hon’ble Court that the Minor is in the custody of and reside with the Plaintiff No.1.

3. That after marriage, the Plaintiff No.1 and the Defendant lived happily in Karachi but with the passage of time, the Defendant started to inflict mental & physical torture maltreating/mistreating, insulting and abusing the plaintiff. The defendant started cruelty upon the plaintiff by making her life just like a hell. The

behavior of the Defendant was abusive and derogatory towards the Plaintiff. During the period of marriage, the Plaintiff No.1 was continuously being abused mentally and physically, tortured and beaten up by the Defendant several times. The defendant had repeatedly insulted and maltreated the plaintiff and on or about 26-02-2023 the plaintiffs were forced to leave the house of defendant due to his ill/bad behavior.

4. That the Plaintiff being an Eastern lady, tried to save her married life but all her efforts went in vain. The Defendant had repeatedly insulted and maltreated the Plaintiff for no fault.

5. That the defendant is working at a Factory and earning good salary and can easily pay the maintenance to the plaintiff for her minor child Master _____.

6. That it is the responsibility of the Defendant to maintain his child as per his status/earning. But, since birth of Master _____ (Plaintiff 2), the Defendant has failed to maintain him.

7. That the Defendant is well aware that at such a tender age, child/Plaintiff No.2 need proper care which cannot be done without spending money on his medication, powder milk, pampers and other day to day necessities. That the Defendant, being the father of the minor/Plaintiff No.2 is bound to maintain him and spend the required amount on his day to day necessities i.e. pampers, medications, powder milk, clothes etc., but he did not pay any heed to all this

8. That the Defendant being father of the Minor/ ward Master _____, is liable to pay past, as well as future maintenance @

Rs.12,000/- (Rupees Twelve Thousand only) per month, to the minor Master _____ with an increase of 25% per annum and apart from other expenses including but not limited to boarding, loading, shopping.

That the current monthly expenses of the Minors are as following:

EXPENSES OF MINOR PER MONTH <i>(as of now):</i>	
Particulars	(Plaintiff No.2)
Clothing and personal care	PKR 3000/-
Medical	PKR 3000/-
Misc. Expenses i.e. (Groceries, bills)	PKR 6000/-
TOTAL	PKR 12,000/-

9. That the Defendant is liable to pay past, as well as future maintenance to the Plaintiffs Rs.12,000/- (Rupees Twelve Thousand only) per month for the last three years till the date of institution of the suit and till the completion of Iddat period.

10. That it is pertinent to mention herein that the Defendant is/was making good money since beginning but has not been maintaining the Plaintiff and the son properly till to-date.

11. That the Plaintiff is bearing all the expenses and providing the maintenance of the son with the help of her parents and by doing a minor job.

12. That during this period, the defendant in general treated the plaintiff cruelly and did not behave in a good manner and never acted as a prudent and responsible

person/ husband, could not prove himself as good Muslim husband and the plaintiff was made to suffer physically, mentally and financially.

13. That in view of the above narrated circumstances and manifest misdeeds of the Defendant, the Plaintiff has developed immense hatred against the Defendant to the extent that she would die rather than to live with the Defendant as spouses.

14. That due to the rude and derogatory behavior of the Defendant with the Plaintiff, she has developed fixed aversion against the Defendant and now believes that she cannot live with the Defendant as wife within the limits prescribed by Almighty Allah, therefore, the Plaintiff seeks dissolution of her marriage from this Honourable Court.

15. That the parents of the plaintiff also gave dowry articles and Gold/silver Ornaments to the plaintiff at the time of her marriage which is still lying with defendant at his house total amounting to Rs.132,300/- as the plaintiff was forced to leave the house of defendant and she has not brought anything from the defendant house.

List of the dowry articles showing their worth are attached and marked as P/2

16. That the cause of action firstly arose to the Plaintiff against the Defendant on 08.09.2018, when the Plaintiff got married to the Defendant, arose again when the Minor _____ was born on 17-07-2019, thereafter when the defendant neglected, verbally and physically assaulted the plaintiff, when the Defendant did not allow the Plaintiff to take her dowry articles and other silver/gold ornaments with her and thereafter on 26-02-2023 forced plaintiff to leave the house of defendant, when the Defendant failed to pay maintenance for the Minor and till date the

Plaintiff No. 1 has through all means and modes pains taking providing for the Minor and the same continues on a day to day basis.

17. That the Plaintiff is residing at the above given address within the jurisdiction of PS _____ and this Hon'ble Court has power to entertain this matter.

18. That the proper court fee as prescribed under the law has been affixed herewith.

PRAYER

It is therefore, respectfully prayed on behalf of the Plaintiffs above named that this Honorable Court may be pleased to pass the judgment and decree in favor of the Plaintiffs and against the Defendant as under;

- A. To pass appropriate orders for dissolution of the marriage between the Plaintiff No.1 and the Defendant by way of Khula with directions to the concerned authorities for issuance of Divorce Confirmation Certificate;
- B. Direct the Defendant to pay an amount of PKR 10,000/- on account of past maintenance of the Plaintiff No.1 till Iddat period.
- C. Grant past maintenance to the child @ 12,000/- (Rupees Twelve Thousand only) per month for the last three years till the date of institution of the suit and also future maintenance with 25% increase per annum, excluding school charges whatever as and when required basis.

- D. To direct the defendant to pay further education and maintenance as and when situation so arise.
- E. Grant Maintenance to the Plaintiff @ Rs.12,000/- (Rupees Twelve Thousand only) per month for the last three years till the date of institution of the suit and till the completion of Iddat period.
- F. Direct the Defendant to return the dowry articles and Gold/Silver Ornaments to the Plaintiff as per list mentioned with the plaint Total amounting to Rs.**132,300/-** OR if the same are not available then the amount of Rs. **132,300/-**
- G. Grant any other relief/reliefs which deem fit by this Honorable Court under the circumstances of this case.
- H. Cost of the suit may also be awarded to the plaintiff.

PLAINTIFF

Karachi,

Dated -03 -2023

ADVOCATE FOR THE PLAINTIFF

IN THE COURT OF _____ FAMILY JUDGE , KARACHI-_____

FAMILY SUIT NO. _____ /2024

.....Plaintiff

Versus

.....Defendant

**SUIT FOR RECOVERY OF DOWRY ARTICLES, MAINTENANCE
AND DISSOLUTION OF MARRIAGE
BY WAY OF KHULA.**

The plaintiff begs to submit as under;

1. That the plaintiff was married to the defendant at Karachi on 20-01-2023 wherein the Nikkah was solemnized according to Muslim Law against a deferred dower amount of Rs. 37,000/- (Rupees Thirty Seven Thousand Only), which has not been paid till date by the Defendant. From the Wedlock there are no issue born.

Photocopy of the CNIC, Nikkahnama are marked and Annexed as P & P/I respectively

2. That after marriage the plaintiff and the defendant live happily but after passing some time the defendant started maltreating/mistreating, insulting and abusing the plaintiff. The defendant started cruelty upon the plaintiff making life of the plaintiff just like a hell. That the plaintiff being an Eastern lady tried to save her married life but all her efforts went in vain. The defendant had repeatedly insulted and maltreated the plaintiff and on or about 26-10-2020 the plaintiff was forced to leave the house of defendant due to his ill/bad behavior, as he was drunk.

3. That the defendant owned a Car showroom business and earning 20 Lacs per month but he has also failed to pay any maintenance to the plaintiff since 02-02-2020.

4. That the plaintiff has developed immense hatred against the defendant for his cruel/abusive/insolent behaviour to the extent that she would die rather than to live with the defendant as his wife.

5. That the plaintiff approached his highness Prince Agha Khan Arbitration and Mediation board for permission of divorce but till date there was no response as the defendant did not turn up for any meetings and plaintiff has no remedy left except to approach this Honourable Court. That the Plaintiff cannot live with the defendant within the limits prescribed by Almighty Allah for the marriage.

6. That the plaintiff father purchased the house hold articles for her use in the defendant's house and also purchased the gold ornaments amounting to Rs.7,00,000/- from FIVE STAR JEWELLERS address Shop No.18,Sir Jahangir Kothari Building, Raja Ghazanfar Ali Road,Saddar,Karachi, and branded clothes, shoes and bags Approximately 5 Lacs which are also in the possession of the defendant.

List of the dowery articles and certificate issued by Five Star Jewellers showing there worth are attached and marked P/2 and P/5 respectively.

7. That the cause of action accrued to the plaintiff against the defendant firstly on 02-02-2020 when the marriage took place, on various occasions when the defendant maltreated, abused and insulted the plaintiff and on or about 26-10-2020 when the plaintiff was forced to leave the house of defendant due to his bad/ill and cruel behavior.

8. That the plaintiff is residing within the local limits of P.S _____ Karachi- which is in the territorial jurisdiction of this Honourable Court.

9. That the proper Court fee has been affixed as prescribed under the law.

PRAYER

It is, therefore, prayed that this Honourable Court may be pleased to pass judgment and decree in favour of the plaintiff against the defendant for:-

a) To dissolved the marriage between the plaintiff and defendant by way of khula.

b) To direct the defendant to hand over the dowery articles and gold ornament amounting to Rs.7,00,000/- OR if the same are not available then the amount of Rs.7,00,000/=.

c) To direct the defendant to pay maintenance to the plaintiff at the rate of Rs.3,00,000/- per month from 02-02-2020 as the defendant monthly income is Rs./- 20 Lacs

d) Any other/ further relief that this Honourable Court may deem fit and proper under the circumstances of the case.

e) Cost of the suit.

Karachi,

Dated -04-2021

Plaintiff

Advocate for Plaintiff

IN THE COURT OF _____ FAMILY JUDGE AT KARACHI (SOUTH)

FAMILY SUIT NO. _____ OF 2022

.....PLAINTIFFS

VERSUS

.....DEFENDANT

**SUIT FOR DISSOLUTION OF MARRIAGE BY WAY OF KHULA
AND MAINTENANCE**

The Plaintiffs above named most respectfully submit as under:-

1. That Plaintiff No.1 is an educated and law-abiding citizen of Pakistan who belongs to a respectable family.

2. That Plaintiff No.1 the Defendant (hereinafter collectively referred to as "**Parties**") entered into Nikah on **23rd December, 2011** which was solemnized at Karachi against dower of **Rs. 125,000/- (Rs. One Hundred and Twenty Five Thousand only)**, which has been paid to the plaintiff. It is submitted that, from the aforementioned wedlock Plaintiff No.2 (6 years old) is born (referred to as the "**Minor**"). It is pertinent to apprise this Hon'ble Court that the Minor is in the custody of and reside with the Plaintiff No.1.

True copy of the cnic, nikahnama and form-b are attached herewith and annexed as annexure P to P/2"

1. That it is respectfully submitted that over the span of years, Defendant for his unreasonable attitude and behaviour towards the Plaintiffs has proved himself to be an irresponsible father and husband with whom it has been difficult to reside with. The Defendant since the inception of the matrimony period has kept insulting behavior towards the Plaintiffs, despite the fact that Plaintiff No.1 has always been a loyal, caring, cooperative and financially supportive wife.

2. That Defendant, Mr. _____ was a violent, abusive and manipulative person who made the life of the Plaintiff and her daughter unbearable with violence, abuses and reluctant to perform his financial obligation towards his Wife and daughter. Since 22nd July 2021, the Plaintiff is left with no option but to invoke the jurisdiction of this Hon'ble Court for dissolution of marriage by way of Khula.

3. That it is submitted that the acts of the Defendant over the years have created a fixed mental aversion in the mind of the Plaintiffs against the Defendant and has caused Plaintiff No.1 to suffer from anxiety and depression. Plaintiff No.1 has tried her best to cohabit with the Defendant despite suffering from constant mental and financial agony. However, the actions and conduct of Defendant has now made it impossible for the same to continue living together within the limits prescribed by Almighty Allah.
4. It is also worth mentioning that the Defendant has failed to maintain the Minor despite various requests by the Plaintiff No.1 to the Defendant and it is the Plaintiff No.1 who has been maintaining the Minor herself.
5. That the Defendant is engaged in the business of construction materials/ supplies under the business name '**BMT Pakistan**' which is a successful business making considerable profits, however, the Defendant has blatantly refused to maintain the Minor and is in gross violation of his obligations as a father.
6. That the Defendant is fully capable of providing for Minor but has continuously failed to do so. It is pertinent to mention that in spite of various earnings, the Defendant has failed as a father to provide basic necessities, such as, education, healthcare or upbringing of the Minor and that the Plaintiff No. 1 has done the same all by herself and from her own savings.
7. That the current monthly expenses of the Minors are as following:

EXPENSE HEAD PER MONTH (as of now):	
Particulars	(Plaintiff No.2)
School Fee	PKR 14,426.00
Clothing and personal care	PKR 3,333.33
Misc. Educational expenses (stationary, books etc at home)	PKR 1,600.00
Tuition Fee	PKR 2,500.00
Extra-Curricular	PKR 5,650.00
Medical	PKR 3,000.00
Commute	PKR 6,000.00
Misc. Expenses	PKR 13,500.00
TOTAL	PKR 50,009.00

Copy of the fee challan, other receipts and k-electric bill are attached herewith and marked as annexure P/3 and P/5 respectively.

8. In addition to the above, since the Plaintiff No.1 has been maintaining the Minor for the last 1

year and 6 months and incurring the per month maintenance cost herself, an amount of **PKR 50,000/-** is also recoverable from the Defendant on account of the past maintenance of the Minor.

9. In the prevailing circumstances it will be in the interest of justice to dissolve the marriage of the Plaintiff No.1 with the Defendant by way of Khula and direct the

Defendant to maintain the Plaintiff No.1 for the “Iddat” period and further maintain the Minor till such time he is obligated to do under the law.

10. The maintenance of the Plaintiff No.1 for the Iddat period amounts to PKR150,000/-

11. That the kind indulgence of this Honorable Court is sought to ensure that all expenses of the Plaintiffs including the Minor may be adequately compensated for in terms of the amounts mentioned in paragraph 9, 10 and 12 above in

addition to all other amounts which the Plaintiffs are entitled to receive under the law.

12. That presently the Plaintiffs are residing at the address given in the instant Suit which is within the jurisdiction of the instant court.

13. That the cause of action first accrued when the Plaintiff No.1 was made to suffer constant mental abuse and harassments at the hands of the Defendant, then since March 2021 the matrimony reached its final deadlock beyond any reconciliation, when the Defendant failed to pay maintenance for the Minor and till date the Plaintiff No. 1 has through all means and modes pains takingly providing for the Minor and the same continues on a day to day basis.

14. That, this Court has jurisdiction in the instant matter as the place of residence of the Plaintiffs is in P.E.C.H.S Karachi which falls within the limits of P.S. _____ Police Station.

15. That the proper court fee is affixed on the plaint.

P R A Y E R

It is therefore humbly prayed that this Honorable Court may be pleased to pass a Judgment and decree against the Defendant and in favor of the Plaintiffs on the following counts:

- (A) To pass appropriate orders for dissolution of the marriage between the Plaintiff No.1 and the Defendant by way of Khula with directions to the concerned authorities for issuance of Divorce Confirmation Certificate;

- (B) Declare and fix an amount of **PKR 50,000/-** per month as maintenance of the Minor subject to annual increase at the rate of 20% (twenty percent);

- (C) Direct the Defendant to pay the amount of maintenance as fixed in the prayer clause (B) above;

- (D) Direct the Defendant to pay an amount of PKR 50,000/- on account of past maintenance of the Minors;

- (E) Direct the Defendant to pay an amount of PKR 150,000/- on account of maintenance of the Plaintiff No.1 during the Iddat period.

- (F) Costs of the suit and other adequate relief(s) which this Hon'ble Court deems fit and proper in the circumstances of the case may also be awarded.

Karachi.
Dated:

PLAINTIFF

ADVOCATE FOR THE PLAINTIFF

IN THE COURT OF _____ FAMILY JUDGE, KARACHI-CENTRAL

FAMILY SUIT NO._____ /20

.....Plaintiff

Versus

.....Defendant

SUIT FOR RECOVERY OF DOWAR, DOWRY ARTICLES AND MAINTENANCE

The plaintiff respectfully submits as under:-

1. That the plaintiff was married to the defendant at Karachi on 09-01-2016 according to Muslim personal Law, against a deferred dower amount of Rs.50,000/- (Rupees Twenty Five Thousand Only), which has not been paid till date by the Defendant. From this Wedlock there is no issue.

Photocopy of the CNIC, Nikkahnama & Marriage Registration Certificate are marked and Annexed as P to P/2' respectively

2. That after marriage the defendant started maltreating/mistreating, insulting and abusing the plaintiff. The defendant started cruelty upon the plaintiff making life of the plaintiff just like a hell. The plaintiff being an Eastern lady tried to save her married life but all her efforts went in vain. The defendant had repeatedly insulted and maltreated the plaintiff and on or about 31-08-2019 the plaintiff was forced to leave the house of defendant due to his ill/bad behavior.

3. That the defendant is an Account Manager in _____ and is drawing handsome amount as salary and other service benefits but he has also failed to pay any maintenance to the plaintiff since 09-01-2016.
4. That the plaintiff's brother purchased the house hold articles for her use in the defendant's house and also purchased the gold ornaments as per annexure, and branded clothes, shoes and bags approximately Rs. 775280/- which are also at present laying in the defendant house under his possession.

List of the dowry articles along with receipts are attached and marked P/3 to P/8 respectively

5. That instead of maintaining the plaintiff, the defendant sent divorce deed dated 16-06-2021. The defendant while sending the divorce deed leveled false allegations of taking the jewelry which is totally false. The defendant in para-6 of the divorce deed mentioned to take back the dowry articles, however, when the brother of the plaintiff approached for receiving the dowry article from the house of the defendant, he was not allowed even to enter the house of the defendant and refused to hand over the dowry article to the brother of the plaintiff.

Photocopy of Divorce deed and legal notice are attached and marked as P/9 & P/10

6. Moreover, all the educational testimonial of the plaintiff is laying with the defendant at his house. The brother of the plaintiff requested the defendant to return/hand over the educational testimonial and CNIC as well as plaintiff's medical reports of the plaintiff to him but the defendant straightaway refused to hand over the same to him.

7. That from this acts of the defendant, it is, apparent that he is a dishonest person. On one hand he mentioned in the divorce deed for the collection of dowry article and when the brother of the plaintiff approached the defendant for collecting the dowry article, the defendant refused to hand over the same to the brother of the plaintiff.
8. That the cause of action accrued to the plaintiff against the defendant firstly on 09-01-2016 when the marriage took place, on various occasions when the defendant maltreated, abused and insulted the plaintiff and on or about 31-08-2019 when the plaintiff was forced to leave the house of defendant due to his bad/ill and cruel behavior, when the defendant sent divorce deed dated 16-06-2021 to the plaintiff but not paid the dower amount, when the plaintiff approached the defendant for collecting dowry articles as per list attached herewith and educational testimonial and CNIC as well as plaintiff's medical reports and the same continues day by day to the plaintiff within the territorial jurisdiction of this Honourable Court.
9. That the plaintiff is residing within the local limits of P.S _____ Karachi- which falls within the territorial jurisdiction of this Honourable Court.
10. That the proper Court fee has been affixed as prescribed under the law.

PRAYER.

It is, therefore, prayed that this Honourable Court may be pleased to pass judgment and decree in favour of the plaintiff against the defendant for:-

- a) To direct the defendant to hand over the dowry articles and gold ornament as per annexure OR if the same are not available then to pay amount of Rs.775280/- equal to the value of the dowry article & gold ornaments.
- b) To direct the defendant to pay maintenance to the plaintiff at the rate of Rs. 30,000/- per month from 31-08-2019 till iddat period.
- c) To direct the defendant to hand over the original CNIC, Education documents & medical report to the plaintiff.
- d) Any other/ further relief that this Honourable Court may deem fit and proper under the circumstances of the case.
- e) Cost of the suit.

PLAINTIFF

Karachi,
Dated /07/2021

ADVOCATE FOR THE PLAINTIFF

**IN THE COURT OF XXXI FAMILY JUDGE , KARACHI-EAST
FAMILY SUIT NO. /20
.....Plaintiff**

.....
Versus
.....Defendant

**SUIT FOR RECOVERY OF DOWRY ARTICLES, MAINTENANCE
AND DISSOLUTION OF MARRIAGE**

BY WAY OF KHULA.

The plaintiff begs to submit as under;

1. That the plaintiff was married to the defendant at Karachi on 02-02-2020 wherein the Nikkah was solemnized according to Muslim Law against a deferred dower amount of Rs. 500,000/- (Rupees Five Lacs Only), which has not been paid till date by the Defendant. From the Wedlock there are no issue born.

Photocopy of the CNIC, Nikkahnama are marked and Annexed as P & P/1' respectively

2. That after marriage the plaintiff and the defendant live happily but after passing some time the defendant started maltreating/mistreating, insulting and abusing the plaintiff. The defendant started cruelty upon the plaintiff making life of the plaintiff just like a hell. That the plaintiff being an Eastern lady tried to save her married life but all her efforts went in vain. The defendant had repeatedly insulted and maltreated the plaintiff and on or about 26-10-2020 the plaintiff was forced to leave the house of defendant due to his ill/bad behavior, as he was drunk.
3. That the defendant owned a Car showroom business and earning 20 Lacs per month but he has also failed to pay any maintenance to the plaintiff since 02-02-2020.
4. That the plaintiff has developed immense hatred against the defendant for his cruel/abusive/insolent behaviour to the extent that she would die rather than to live with the defendant as his wife.

5. That the plaintiff approached his highness Prince Agha Khan Arbitration and Mediation board for permission of divorce but till date there was no response as the defendant did not turn up for any meetings and plaintiff has no remedy left except to approach this Honourable Court. That the Plaintiff cannot live with the defendant within the limits prescribed by Almighty Allah for the marriage.

6. That the plaintiff father purchased the house hold articles for her use in the defendant's house and also purchased the gold ornaments amounting to Rs.7,00,000/- from FIVE STAR JEWELLERS address Shop No.18,Sir Jahangir Kothari Building, Raja Ghazanfar Ali Road,Saddar,Karachi, and branded clothes, shoes and bags Approximately 5 Lacs which are also in the possession of the defendant.

List of the dowry articles and certificate issued by Five Star Jewellers showing there worth are attached and marked P/2 and P/5 respectively.

7. That the cause of action accrued to the plaintiff against the defendant firstly on 02-02-2020 when the marriage took place, on various occasions when the defendant maltreated, abused and insulted the plaintiff and on or about 26-10-2020 when the plaintiff was forced to leave the house of defendant due to his bad/ill and cruel behavior.

8. That the plaintiff is residing within the local limits of P.S _____ Karachi- which is in the territorial jurisdiction of this Honourable Court.

9. That the proper Court fee has been affixed as prescribed under the law.

PRAYER.

It is, therefore, prayed that this Honourable Court may be pleased to pass judgment and decree in favour of the plaintiff against the defendant for:-

- a) To dissolved the marriage between the plaintiff and defendant by way of khula.
- b) To direct the defendant to hand over the dowery articles and gold ornament amounting to Rs.7,00,000/- OR if the same are not available then the amount of Rs.7,00,000/=.
- c) To direct the defendant to pay maintenance to the plaintiff at the rate of Rs.3,00,000/- per month from 02-02-2020 as the defendant monthly income is Rs./- 20 Lacs
- d) Any other/ further relief that this Honourable Court may deem fit and proper under the circumstances of the case.
- e) Cost of the suit.

Karachi,

Dated -04-2021

Plaintiff

Advocate for Plaintiff

VERIFICATION

I, _____ son Of _____, Muslim, adult, resident of _____ Karachi, do hereby verify on oath that what is stated above factually is correct and true to the best of my knowledge, belief and information.

**BEFORE THE VTH COURT OF FAMILY JUDGE
KARACHI-SOUTH**

Family Suit No. Of 20

.....Plaintiff

VERSUS

.....Defendant

SUIT FOR CONJUGAL RIGHTS

The above named Plaintiff respectfully submits as under:

1. That the Plaintiff, on 18-04-2010, entered into a Marriage Contract with the Defendant on the consideration of Dower amount of Rs. 51,000/- which has been paid to the Defendant by the Plaintiff.

Photocopy of the Nikahnama is attached herewith and marked as Annexure A/1

2. That after marriage the Rukhsati took place and the defendant shifted to the house of the plaintiff.
3. That out of the said wedlock two issues, Master _____ and Baby _____, were born on 26-05-2011 and 11-07-2013 respectively. It is pertinent to mention here that both the children are currently residing with the Defendant at the above given address.

Photocopies of the Bay form of _____ and Birth Certificate of Baby _____ are attached herewith and marked as Annexure A/2 and A/3 respectively

4. It is pertinent to mention herein that marriage in Islam is a commendable institution designed as a basic social unit. Its main objectives are, inter alia, as follows:-

- Procreation of children, preservation and perpetuation of the human race, through legitimate sexual intercourse between a man and a woman whose relationship as husband and wife is publicly declared and made known to the society at large. The Holy Qur'an says:

"O Mankind, be conscious of your duty to your Lord, Who create you from a single soul, created of like nature, his mate, and from the two created and spread many men and women" (4:1).

"Your wives are for you to cultivate: so go to your cultivation whenever you wish, and take care of what is for you, and heed God and know that you will meet Him". (2:223)

- Protection of morals through legally justified satisfaction of natural biological urges and, resultantly, curbing pre-marital or extra marital sex. The Holy Qur'an calls marriage 'Hisn' which means a fortress, a castle i.e. protection against illegal sex relations. The Holy Qur'an referring to this aspect says:-

"So marry them with their guardian's permission and give them their marriage portions as wives, they being chaste, nor committing fornication or having illicit friendship" (4:25)

At another place, the same point is highlighted with reference to the man:

"And respectable, believing women (are lawful) as well as respectable women from among those who are given the Book before you have given them their marriage portion and taken them in wedlock, nor fornicating or having illicit friendship" (5:5).

- Establishment of sound emotional, spiritual, happy, lovely and peaceful life-long companionship. The Holy Qur'an highlighted this aspect and says:-

“And (one) of His signs is that He created for you, of yourselves, spouses so that you may console yourselves with them (and find rest and tranquility in them). He has set between you love and mercy” (30:21).

At another place, the relationship between the spouses has been described as that between ‘the body and the garment’.

“They are garments for you and you are garments for them” (2:187).

Resembling the relationship of spouses to garment is very meaningful. The garment is something nearest to the body, protecting it from exposure to anything harmful, covers and adorns it and adds to its beauty. The spouses are also supposed to be very close to each other, protecting each other's honour, life and property. This function of marriage is set forth in the form of prayer in a number of verses:

“Our Lords! Grant us in our spouses and our offspring the comfort of our eyes and make us a model for the heedful”. (25:74)

My Lord! Make me keep up prayer and (also) let my offspring [do so]. Our Lord accept my, appeal! Our Lord, forgive me and my parents...” (14, 40, 41).

5. That it is pertinent to mention here that although the marriage has a moral, legal and spiritual bearing on the parties. It is a civil contract between the husband and wife which creates mutual rights and obligations. This contract is a lifelong commitment meant to last happily for the whole life between husband and wife, as hinted at by the Quranic verse, calling it “a firm pledge” (4:21). The main purpose referred to by another Quranic verse (30:21) is love, peace and tranquility and therefore both the spouses are expected and require maintaining cordial,

harmonious and lovely relations. For this purpose various instructions have been given by the Holy Qur'an.

6. That both the spouses have mutual rights and obligation and, as a matter of right, must enjoy the same, having regard to the moral, social and ethic values, as has been unambiguously advised in the verses. However, there are always ups and downs in the mutual relations between the spouses. At time the relations become so strained that the spouses feel unable to mention a happy peaceful union within the limits, prescribed by Almighty Allah and His Messenger. In such circumstances it has been directed that “If you fear a breach between the two (i.e. husband and wife), appoint an arbitrator from his people and an arbitrator from her people; if they both want to set things right Allah will bring about reconciliation between them. Allah is All-Knowing, All-Aware”.

7. The objective of this direction is to make every possible effort to save the marital contract intact and help the spouses in maintaining their happy union, in the best personal and social interests. All relation which bind people together and keep them connected with each other spring out from this single contract. The spouses, after some period of their marriage become parents; their children turn into brothers and sisters and resultantly the relations interse, spread in vertical and horizontal offshoots and form basis for a large universal community. The Holy Qur'an referring to the same says:

“O people Fear your Lord who created you from a single being and out of it created its male: and out of the two spread men and women” (4:1)

It is one of the three verses recited by the Holy Prophet (Peace Be Upon Him) at the time of declaration of the Nikah between spouses, and since then, is

still repeatedly recited in formal “Khutba” on all such occasions. The other two verses are as follows:-

- (a). *Believers, fear Allah as much as He deserves to be feared, and so that you do not die in complete submission to Allah.*
- (b). *Believers, fear Allah and always speak the truth. Allah will set your deeds right for you and will forgive you your sins. Whoever obeys Allah and His Messenger has achieved a great triumph.*

It is pertinent to mention herein that the recitation of these verses at the time of performing Nikah ceremony is not just a formality to grant sanctity to the marriage ceremony. The objective is to remind the people, mostly consisting of the relatives and friends of both the spouses, to keep in mind the instructions contained in these verses and remain conscious of their mutual rights and obligations. They are ordered, to obey all commands of Allah and follow the footsteps of His Messenger Muhammad (Peace Be Upon Him), who categorically said that “*The best among you is the one who is best to his family*” (*HADITH*).

These are some of the moral and legal injunctions to keep the social contract made between spouses, consistently continued with love, peace and harmony as far as possible.

8. As marriage confers important rights and entails corresponding obligations both on the husband and on the wife some of these rights are capable of being altered by an agreement freely entered into by the parties, but in the main the obligations arising out of marriage are laid down by the law. An important obligation is consortium, which not only means living together, but implies a union of fortunes, a fundamental principle of matrimonial law is that one spouse is entitled to the society and comfort of the other. Thus where a wife without lawful cause, refuses to live with her husband, the husband is entitled to sue for restitution

of conjugal rights, and similarly the wife has the right to demand the fulfillment by the husband of his marital status.

9. It is pertinent to mention here that where either the husband or wife has, without lawful grounds, withdrawn from the society of the other, or neglected to perform the obligations imposed by law or by the contract of marriage, the court may decree restitution of conjugal rights and may put either party on terms securing to the other enjoyment of his or her legal rights.

10. That the Plaintiff has always kept the Defendant and the children with utmost love, care and affection, and has provided them with all the necessities of life as per his means, thereby performing his matrimonial obligations as prescribed by Almighty Allah. Moreover, the Plaintiff also gave proper time and attention as required by the Defendant and has always tried his level best to keep the Defendant and the children happy, thereby giving the Defendant no chance of complaint from his side.

11. That soon after the marriage, despite the Plaintiff's sincere efforts, the Defendant's behavior towards the Plaintiff became inconsiderate and impolite. Moreover, the Defendant for numerous times, during the 5 years of marriage, on the instigation of her parents and other family members, have left the house of the Plaintiff and have gone to stay with her parents at their house for a period of 15 days to 2 months.

12. That the Defendant, while being at her parents' house, never contacted the Plaintiff nor allowed the Plaintiff to meet the children. Moreover, whenever the Plaintiff tried to contact the Defendant, she would neither answer the Plaintiff's phone calls nor reply to the Plaintiff's messages. However, the Plaintiff, with great

difficulty, somehow always managed to convince the Defendant to come back to his house along with the children.

13. That the Defendant again on 27-03-2015, on the instigation of her parents and other family members, left the house of the Plaintiff together with the children and have gone to stay with her parents at their house.

14. That since then the Defendant has been living at her parents' house together with the children. Moreover, several times the Plaintiff tried to meet the Defendant at her parents' house in order to convince her to come back to his house along with the children, but neither the Defendant met the Plaintiff nor allowed the Plaintiff to meet the children. Furthermore, the Defendant has also stopped responding to the Plaintiff's phone calls and messages. Thereafter, as all the efforts of the Plaintiff went in vain, the Plaintiff involved the elders of the family and well wishers of the family in the community to settle the issue and get the Defendant back to his house along with the children, but all those efforts also failed due to the baseless allegations/attitude of the Defendant's parents.

15. That since 27-03-2015 till present, the Defendant has been living separately from the Plaintiff and have not been performing her matrimonial obligations owed towards the Plaintiff. Moreover, as stated above, the Defendant has also not been allowing the Plaintiff to meet with the children for which he is legally and morally entitled being the father.

16. That after marriage the Plaintiff has been fulfilling all the obligations and duties towards the Defendant and the children. Moreover, it is pertinent to mention herewith that the Plaintiff is paying the school fees of his son, namely Master

Photocopies of school fees payment slips are attached here and marked as Annexure A-4

17. That the cause of action arose to the Plaintiff against the Defendant when the marriage was solemnized, when on various dates including 27-03-2015, the Defendant together with the children left the house of the Plaintiff and went to stay with her parents at their house, when on various dates the Plaintiff visited the house of the Defendant's parents in order to save his matrimonial life and meet his children, when the Defendant refused to meet the Plaintiff and did not allow him to meet his children, when the Defendant failed to perform her matrimonial obligations/duties, and the same continues day by day to the Plaintiff within the local limits of Police Station _____ which falls within the territorial jurisdiction of this Honourable Court.

18. That for the purpose of Court fee and jurisdiction. The proper Court fee is affixed as per Law.

PRAYER:-

It is, therefore, prayed that this Honourable Court may be pleased to pass judgment and decree in favour of the Plaintiff against the Defendant as under:-

- (a). To direct the defendant to join the plaintiff and perform/pay all the matrimonial obligations as prescribed by Muhammadan Law, also perform/pay all the duties and obligations and live within the limits prescribed by Almighty Allah.
- (b). Direct the family members of the defendant to send back the defendant and the children to the plaintiff house and further direct not to create any hurdle in the happily life of the plaintiff and defendant.

- (c). Any other /further relief which this Honourable Court may deem fit and proper under the circumstances of the case.
- (d). Cost of the suit.

Karachi,
Dated: 27-05-2015

PLAINTIFF

ADVOCATE FOR THE PLAINTIFF

VERIFICATION

I, _____ son Of _____, Muslim, adult, resident of _____ Karachi, do hereby verify on oath that what is stated above factually is correct and true to the best of my knowledge, belief and information.

DEPONENT

IN THE COURT OF __ CIVIL AND FAMILY JUDGE AT KARACHI (SOUTH)

Family Suit No. _____ of 2023

plaintiff

Plaintiff

Verses

defendant

Defendant

**SUIT FOR DISSOLUTION OF MARRIAGE BY WAY OF KHULA AND
MAINTENANCE.**

Respectfully sheweth:

- 1.** That the Plaintiff is a responsible and respectable citizen of the Islamic Republic of Pakistan who is currently residing in Karachi.

(Copy of the Plaintiff's CNIC is attached herewith as Annexure A)

2. That the Defendant is a Pakistani National and is the husband of the Plaintiff who is currently residing in Karachi, Pakistan. The Defendant is currently working as a Security Guard at a Bank. The Defendant had another spouse apart from the Plaintiff, who is the second wife of the Defendant and due to the reasons stated hereunder the Plaintiff is seeking a release from her marital obligations vide a decree for dissolution of marriage by way of Khula from this Court.
3. That the Plaintiff and the Defendant entered into a wedlock, as per the Sunni/Hanafi personal laws, and the Muslim Family Law Ordinance, 1961, through Nikkah which was solemnized in the year 20XX, in the city of Karachi. The said Nikkah took place against a Haq Meher/Dower amount of half of the price of buffalo, which has not been paid by the Defendant to the Plaintiff. The said marriage was duly consummated, wherefrom four issues were born, namely child1 aged 7 years, Child2 aged 6 years, Child3 aged 4 years and Child4 aged 2.5 years old.
- 4.** That the Defendant was a point man in a village Sindh, Pakistan, who had a business of buffaloes (Buy and Sale). After the marriage the Defendant decided to reside in Karachi and earn through different means to earn better and invest in the business they had in the village.

5. That in 20XX Year, the Defendant left for the village and the Plaintiff used to work as a househelp in different houses in Karachi to earn for a living. The Plaintiff used to send all the money she earned by working as a househelp to the Defendant at the village for the purpose of business investment.
6. That the Plaintiff later found out that the Defendant had sold out all the buffalos and was using the same money in illicit activities including but not limited to gambling, consuming alcohol and smoking weed.
7. That it is pertinent to note that the Defendant has proven to be an irresponsible spouse during the time of all of the Plaintiff's pregnancies. It is imperative to note that the Plaintiff had not been taken care of during her first pregnancy due to which she had a miscarriage at the time of delivery as the Defendant did not take her to a hospital and tried to perform the delivery of the infant at home.
8. That the Defendant started to exhibit characteristics of narcissism and over possessiveness that led to character assassination of the Plaintiff including but not limited to extreme verbal and physical violence with the intent of killing the Plaintiff to an extent that has led to the Plaintiff being unconscious and severely injured.
9. That the Defendant since marriage has been habitually involved in crimes recognized under the Pakistan Penal Code ('PPC'), which includes but is not limited to: Sections 351 (Assault), 350 (Criminal Force), 503 (Criminal Intimidation), 509 (Insulting modesty or causing sexual harassment), 332 (Hurt), 337 B (Jurh) and 337 L (Punishment for other hurt), which can be easily substantiated from the fact that the Respondent has at times been violent, cruel and arrogant towards the Applicant and as gone to such an extent that he has:
- i. Hit the Applicant with a bat and electronic devices on numerous occasions;
 - ii. Slapped and punched the Applicant on numerous occasions;
 - iii. Strangled her in high temper with the intent to take her life;
 - iv. Thrown a Knife at the Applicant with the intent to take her life

10. That in 20YX Year, the Defendant under the influence of drugs accused the Plaintiff of cheating on him and threw her out of the house when she was four months pregnant with her fourth child, keeping all of the other issues with himself.
11. That the fourth issue was born in 20XX at Plaintiff's brother's house. The Defendant never came to meet or gave any delivery expenses at the time of the birth of the issue. However, ever since that day the Defendant has never paid any maintenance of the issue or kept any contact with the Plaintiff or the issue named Haider.
12. That in 20XY, the Defendant started to threaten and harass the Plaintiff by saying that he will get the Plaintiff murdered (Qari) if she does not give the issue named Haider back to him.
13. That in July, 2023, the Defendant by criminal intimidation and force took the issue named Child4 from the Plaintiff.
14. That it is respectfully submitted despite the abovesaid behavior of the Defendant, the Plaintiff has tried at her level best to provide love, care and affection to her family in her capacity as a wife, with the hope that the Defendant would eventually abstain from consumptions of such illegal substances/activities and would positively discharge his duties as a husband towards the Plaintiff, and as a father towards the issues. The Plaintiff has done all that could be expected of her, to keep her marriage adrift and provide a comfortable living environment for her spouse, children and in-laws. However, the Defendant has failed to change for the better, and such an attitude has not only been detrimental to the Plaintiff's mental and physical health, but also has a constant negative impact on the upbringing of the issues.
15. That in view of the foregoing, the Plaintiff can no longer maintain a relationship in wedlock with the Defendant, and accordingly it is "impossible" for the parties to live and cohabit within the boundaries prescribed in the Muslim Family Law. Hence, this Suit for Dissolution of Marriage by way of Khula.
16. That the Defendant is legally and morally bound to pay the maintenance of the Plaintiff at the rate of Rupees Ten Thousand (10,000 PKR) per month from July 20XX till the Iddat period ends and the delivery charges/expenses Twenty Five Thousand Rupees only (25,000 PKR), paid by the Plaintiff at the time of the birth of the issue

- 17.** That the cause of action first arose upon the solemnization of Nikkah in 20YY and has been recurring till date in favor of the Plaintiff, from and when the Defendant started physically and mentally abusing and maltreating the Plaintiff.
- 18.** That the Plaintiff is working and living as a househelp at the address mentioned on the title of the Plaintiff, which falls within the territorial jurisdiction of this Court, hence, this Honorable Court has jurisdiction to try the instant suit.

P R A Y E R

In view of the foregoing, it is most humbly and respectfully prayed that this Honorable Court may be pleased to:

- i. Grant the Plaintiff a decree of dissolution of marriage by way of Khula.
- ii. To Direct the Defendant to pay the maintenance of the Plaintiff at the rate of rupees Ten Thousand (10,000 PKR) per month from July 20XX till expiry of Iddat Period and delivery charges of Twenty Five Thousand Rupees only (25,000 PKR) beared by the Plaintiff at the time of the birth of the issue named Haider.
- iii. Any other relief that this Honorable Court may deem fit and proper.

PLAINTIFF

IN THE COURT OF ____ CIVIL & FAMILY JUDGE AT KARACHI (East)

Family Suit No. ____ of 2024

plaintiff

Plaintiff

Versus

defendant

Defendant

SUIT FOR DISSOLUTION OF MARRIAGE BY WAY OF KHULA

Respectfully sheweth,

1. That the Plaintiff is a responsible, educated and a respectable citizen of the Islamic Republic of Pakistan who is currently residing in Karachi.

(Copy of Plaintiff's CNIC is attached herewith as Annexure A)

2. That the Defendant is a Pakistani National and is the husband of the Plaintiff due to the reasons stated hereunder the Plaintiff is seeking a release from her marital obligations vide a decree for dissolution of marriage by way of Khula from this Honourable Court.

3. That the Plaintiff and the Defendant entered into a wedlock, as per the Sunni/Hanafi personal laws, and the Muslim Family Law Ordinance, 1961, through Nikkah which was solemnized in 20XX, in the city of Karachi. The said Nikkah took place against a Haq Meher/Dower 25 tola Gold, which has not been paid by the Defendant to the Plaintiff.

(Copy of Nikkahnamma is attached herewith as Annexure B)

4. That shortly after the Nikkah, the Defendant started to exhibit characteristics of narcissism that led to character assassination of the Plaintiff including but

not limited to extreme verbal abuse. The defendant kicked out the plaintiff from his home several times. The Plaintiff tried her best to live with the defendant but all in vein.

5. That it is pertinent to mention that the Defendant had little earnings. The defendant was entrusted with the sum of 160,000 rupees by the plaintiff for the specific purpose of procuring a laptop on behalf of the plaintiff. However, the defendant failed to fulfill this obligation, neither procuring the laptop nor returning the entrusted funds.
6. Furthermore, the defendant habitually withheld a portion of the plaintiff's salary, depositing the entirety of the plaintiff's earnings into the defendant's account and disbursing only a fraction thereof to the plaintiff.
7. It is imperative to note that the defendant has exhibited traits consistent with narcissistic behavior, perpetrating emotional and verbal abuse upon the plaintiff, in addition to engaging in manipulative and gaslighting conduct.
8. The defendant's volatile temperament has manifested in multiple instances of forcibly expelling the plaintiff from shared premises during fits of anger.
9. Furthermore, the defendant has expressed a base desire to reclaim gifts bestowed upon the plaintiff during their nuptials by attendees, indicating a lack of respect for matrimonial bonds.

10. Adding to the plaintiff's distress, the defendant unilaterally sold valuable assets belonging to the plaintiff, specifically gold jewelry gifted to her, without her knowledge or consent, and appropriated the proceeds for personal gain.

11. Given the cumulative effect of the aforementioned conduct, the plaintiff is left with no recourse but to seek dissolution of the marital union, as the defendant's state of mind and behavior render continuation of the marriage untenable.

12. That in view of the foregoing, the Plaintiff can no longer maintain a relationship in wedlock with the Defendant, and accordingly it is "impossible" for the parties to live and cohabit within the boundaries prescribed in the Muslim Family Law. Hence, this Suit for Dissolution of Marriage by way of Khula.

13. That the cause of action first arose upon the solemnization of Nikkah on 20XX and has been recurring till date in favor of the Plaintiff, from and when the Defendant started verbally, emotionally, and mentally abusing and maltreating the Plaintiff.

14. That the Plaintiff is residing at the address mentioned on the title of the Plaintiff, which falls within the territorial jurisdiction of this Court, hence, this Honorable Court has jurisdiction to try the instant suit.

P R A Y E R

In view of the foregoing, it is most humbly and respectfully prayed that this Honorable Court may be pleased to:

- i. Grant the Plaintiff a decree of dissolution of marriage by way of Khula.
- ii. Any other relief that this Honorable Court may deem fit and proper.

PLAINTIFF

Karachi.

ADVOCATE FOR THE PLAINTIFF

**IN THE COURT OF FAMILY JUDGE
EAST AT KARACHI**

Family Suit No. /2024

Plaintiff -----**PLAINTIFF**

VERSUS

Defendant-----**DEFENDANT**

SUIT FOR DISSOLUTION OF MARRIAGE BY WAY OF KHULA

The Plaintiff humbly submits as under:-

1. That the marriage of the Plaintiff with the defendant solemnized in the year 20XX according to Muslim Family Laws Ordinance 1961, against the dower amount of Rs.50,000/-, which is still unpaid.

***Photocopy of Nikahnama is attached
herewith as annexure A.***

2. That on the same day and date the rukhsati was taken place, Marriage was consummated by the union of the spouses and the Plaintiff started residing with the defendant at his house and from this wedlock one issue namely Kaif Muzaffar took birth aged about 5 years.
3. That the Plaintiff joined the defendant in joint family system, at the house of defendant and lived with the defendant and performed her matrimonial obligations.
4. That in starting days the attitude of the defendant was very good with the Plaintiff but after time passed his attitude became rude and cruel, he started maltreating, humiliating, due

to which the Plaintiff got mental torture in different manners.

5. That the Plaintiff being member of a noble family tried her utmost best to lead happy married life with the defendant and to give him respect and love as a husband but due to his harsh and unreasonable attitude of defendant with insulting attitude towards Plaintiff all efforts of Plaintiff remain fruitless.
6. That the Plaintiff proved herself to be faithful and subservient wife of her husband, but on other hand the attitude of the defendant was way harsh at all the time and he also used filthy language rather its turn cruel in nature and frequently becoming furious for no rhyme and reason. The Defendant has beaten the Plaintiff on every other day on petty household matters and due to harsh and unreasonable attitude of defendant towards Plaintiff, she suffered mental torture as well as physical torture.
7. That having Islamic teaching in her credit the Plaintiff has always tolerated that unreasonable and even atrocity of the defendant. The defendant failed to provide plaintiff her basic necessities of life which was not only her right but legal

and moral duty and liability of the defendant/husband.

8. That the defendant without intimation and permission of the plaintiff contracted second marriage, which act of the defendant is punishable under Section 6 of Muslim Family Ordinance 1961 for imprisonment of 1 year and fine amount of Rs.500,000/-.

9. That due to above mentioned situated it is very much hard of the plaintiff to live with the defendant at his house, and since then the defendant failed to perform his responsibilities towards the plaintiff and minor and plaintiff with the help of her family members bearing all the household expense and minor expenses and the defendant never paid any single penny on account of maintenance to the plaintiff.

10. That in this regard the plaintiff through her counsel also sent legal notice to the defendant, but the defendant failed to reply the same till date.

Photocopy of legal notice with its receipt are attached herewith as annexure B to B/

11. That in view of above submission a serious hatred has been created in the heart of the plaintiff against the defendant and she is ready and willing not to live with the defendant as his wife within the limits of Al-Mighty Allah, in any manner, and now wants to dissolve the marriage by way of khula and in lieu of khula she is ready to forego her dower amount.
12. That the cause of action has arisen to the Plaintiff against the defendant for filing the instant suit firstly when Plaintiff was married with the defendant and thereafter defendant tortured, abused and maltreat the Plaintiff and when the defendant failed to maintain the Plaintiff and failed to perform his responsibilities towards the Plaintiff and lastly when the plaintiff left the house of the defendant in three wearing clothes and residing at the house of her parents with minor and same cause of action is still continued day to day till the instant suit of the Plaintiff is decreed as prayed.
13. That the Plaintiff is residing in the local area of **P.S.** _____ which is within the territorial jurisdiction of this Hon'able Court.

14. That the plaint is properly stamped.

PRAYER

It is, therefore, respectfully prayed on behalf of the Plaintiff that this Hon'ble Court may graciously be pleased to pass a Judgment and Decree in favour of the Plaintiff and against the defendant as follows.

- a) To dissolve the marriage between the plaintiff and defendant by way of khula and in lieu of khula the plaintiff is ready to forego her dower amount.
- b) Cost of the Suit.
- c) Any other relief(s) which this Hon'ble court under the facts and circumstances of the matter may deem fit and proper.

IN THE COURT OF FAMILY JUDGE EAST AT KARACHI

Family Suit No. /2024

- 1. Mst. Plaintiff 1 / Wife
- 2. Plaintiff 2 / Child 1
Son of Defendant,
- 3. Plaintiff 3 / Child 2

Son of Defendant,

Both Muslims, minors,
through their Mother i.e.

Plaintiff No.1-----**PLAINTIFFS**

VERSUS

Defendant -----**DEFENDANT**

**SUIT FOR RECOVERY OF DOWER
AMOUNT, DOWRY ARTICLES AND
MAINTENANCE**

The plaintiffs humbly submit as under:-

1. That the marriage of the plaintiff No.1 with the defendant solemnized on 20XX as per Muslim Family Laws Ordinance 1961, against the dower amount of Rs.25,000/-, which is still unpaid.

***Photocopy of Nikahnama is attached
herewith as annexure A.***

2. That on the same day and date the rukhsati was taken place, Marriage was consummated by the union of the spouses and the plaintiff No.1 started residing with the defendant at his house and from this wedlock one issue namely 1) Plaintiff 2 / Child 1Son of Defendant, 3) Plaintiff 3 / Child 2Son of Defendant, and presently under the custody of plaintiff No.1.

Photocopy of birth certificate is attached herewith annexure B to B/1.

3. That at the time of rukhsati the parents and family friends of the plaintiff No.1 given her precious dowry articles to the plaintiff No.1 valued RS. _____/- which she brought to the house of defendant and the same are lying there, and the defendant is liable to return the same to the plaintiff No.1.

Photocopy of list of dowry articles are attached herewith as annexure C.

4. That from the very beginning the attitude of the defendant was very good with the plaintiff No.1 but after time passed his attitude became rude and started maltreating, humiliating, due to which the plaintiff No.1 got mental torture in different manner to the plaintiff No.1 and the defendant also failed to maintain the plaintiffs.
5. That the plaintiff No.1 being member of a noble family tried her utmost to lead happy married life with the defendant and to give him respect and love as a husband but due to harsh and unreasonable attitude of defendant with insulting attitude towards plaintiff No.1 all efforts of plaintiff No.1 remain fruitless.

6. That the plaintiff No.1 proved herself to be faithful and subservient wife of her husband, but on other hand the attitude of the defendant was harsh all the time and he also used filthy language rather its turn cruel in nature and frequently becoming furious for no rhyme and reason. Defendant has beaten plaintiff No.1 on every other day on petty household matters and due to harsh and unreasonable attitude of defendant towards plaintiff No.1, she suffered mental torture, physical torture.
7. That having Islamic teaching in her credit the plaintiff No.1 has always tolerated that unreasonable and even atrocity of the defendant. The defendant failed to provide plaintiff her basic necessities of life which was not only her right but legal and moral duty and liability of the defendant.
8. That on A-B-20YY, the defendant has miserably beaten the plaintiff No.1 on petty household matter and kicked out her from his house in three wearing clothes and pronounced divorce to the plaintiff No.1 and since the plaintiff No.1 is residing at the house of the her parents neither the defendant came to visit to see the

minors nor sent any single penny on account of maintenance of the minors.

Photocopy of divorce deed is attached herewith as annexure D.

9. That the defendant is doing/running and earn handsome amount of Rs. _____/- per month, therefore he is liable to pay the maintenance of the plaintiff No.1 at the rate of Rs.15,000/- per month w.e.f. November 2023 to till date and future maintenance at the same rate till expiry of Iddat period.
10. That being father of the plaintiff No.2 & 3 the defendant is also liable to pay the maintenance of the plaintiff No.2 & 3 at the rate of rate of Rs.15,000/- per month each w.e.f. November 20YY till date and future maintenance at the same rate with increase of 20% per annum, as he is school going children and the educational expenses are bearing by plaintiff No.1 and they are growing children so the daily expenses are more than thousands of rupees per month.
11. That the cause of action has arisen to the Plaintiffs against the defendant for filing the instant suit firstly when Plaintiff was married with the defendant and thereafter defendant tortured, abused and maltreat the Plaintiff and

divorced the plaintiff No.1 and when the defendant failed to maintain the plaintiffs and failed to perform his responsibilities towards the plaintiff No.2 & 3 and same cause of action is still continued day to day till the instant suit of the Plaintiff is decreed as prayed.

12. That the plaintiffs are residing in the local area of **P.S. _____** which is within the territorial jurisdiction of this Hon'able Court.
13. That the plaint is properly stamped.

PRAYER

It is, therefore, respectfully prayed on behalf of the plaintiffs that this Hon'ble Court may graciously be pleased to pass a Judgment and Decree in favour of the plaintiffs and against the defendant as follows.

- a) To direct the defendant to pay the dower amount of RS.25,000/- to the plaintiff No.1.
- b) To direct the defendant to return the dowry articles as per attached list annexure C or alternatively its present market value to the plaintiff No.1.

- c) To direct the defendant to pay the maintenance of the plaintiff No.1 at the rate of Rs.15,000/- per month w.e.f. November 20YY to till expiry of Iddat period.
- d) To direct the defendant to pay the maintenance of the plaintiff No.2 & 3 at the rate of Rs.15,000/- per month w.e.f. November 20YY each to till date and future maintenance at the same rate with increase of 20% per annum till their legal entitlement.
- e) Cost of the Suit.
- f) Any other relief(s) which this Hon'ble court under the facts and circumstances of the matter may deem fit and proper.

**IN THE COURT OF FAMILY JUDGE
EAST AT KARACHI**

Family Suit No. /2024

Mst. Plaintiff 1 / Wife
& others-----**PLAINTIFFS**

VERSUS

Defendant-----**DEFENDANT**

LIST OF WITNESSES

1. Plaintiffs will corroborate her version of plaint
2. will support the version of the plaintiff
3. -----do-----

Karachi
Dated: -02-2024

ADVOCATE FOR PLAINTIFFS

**IN THE COURT OF FAMILY JUDGE
EAST AT KARACHI**

Family Suit No. /2024

Mst. Plaintiff 1 / Wife
& others-----**PLAINTIFFS**

VERSUS

Defendant-----**DEFENDANT**

**APPLICATION UNDER SECTION 17-A OF WEST PAKISTAN FAMILY
COURT ACTS. (AMENDMENT ORDER 2002)**

It is most respectfully submitted on behalf of the Plaintiffs abovenamed that this Honorable Court may be pleased to pass an Interim Order for the maintenance of plaintiff No.2 & 3 at the rate of Rs.15,000/- per month each till final order in the instant matter in the larger interest of Justice.

Prayer is made in the greater interest of Justice and in the Sprit of new latest amended law in Family Court Act.

**IN THE COURT OF FAMILY JUDGE
EAST AT KARACHI**

Family Suit No. /2024

Mst. Plaintiff 1 / Wife
& others-----**PLAINTIFFS**

VERSUS

Defendant-----**DEFENDANT**

AFFIDAVIT

I, Plaintiff 1 / WifeD/o Sher Muhammad Hanif, Muslim, adult, Resident of House ABCD, do hereby state on oath as under.

1. That I am the Plaintiff No.1 in the above matter, as such am fully conversant with the facts of the case.
2. That the accompanying application Under Section 17-A of West Pakistan Family Courts Act (Amended Order 2002) has been drafted under my specific

instructions and the contents of the same may be treated as a part and parcel of this affidavit.

3. That I say that the defendant being father of the plaintiff No.2 & 3/minors, are liable to pay the maintenance as prayed by the plaintiffs.

4. That unless my accompanying application is granted, I as well as minors shall suffer irreparable losses and shall be seriously prejudice.

5. That whatever is stated above is true and correct the best of my knowledge and belief.

**IN THE COURT OF FAMILY JUDGE
EAST AT KARACHI**

Family Suit No. /2024

Plaintiff -----**PLAINTIFF**

VERSUS

Defendant-----**DEFENDANT**

**SUIT FOR DISSOLUTION OF
MARRIAGE BY WAY OF KHULA**

The Plaintiff humbly submits as under:-

1. That the marriage of the Plaintiff with the defendant solemnized in the year 20XX according to Muslim Family Laws Ordinance 1961, against the dower amount of Rs.50,000/-, which is still unpaid.

Photocopy of Nikahnama is attached herewith as annexure A.

2. That on the same day and date the rukhsati was taken place, Marriage was consummated by the union of the spouses and the Plaintiff started residing with the defendant at his house and from this wedlock one issue namely Kaif Muzaffar took birth aged about 5 years.

3. That the Plaintiff joined the defendant in joint family system, at the house of defendant and lived with the defendant and performed her matrimonial obligations.

4. That in starting days the attitude of the defendant was very good with the Plaintiff but after time passed his attitude became rude and cruel, he started maltreating, humiliating, due to which the Plaintiff got mental torture in different manners.

5. That the Plaintiff being member of a noble family tried her utmost best to lead happy married life

with the defendant and to give him respect and love as a husband but due to his harsh and unreasonable attitude of defendant with insulting attitude towards Plaintiff all efforts of Plaintiff remain fruitless.

6. That the Plaintiff proved herself to be faithful and subservient wife of her husband, but on other hand the attitude of the defendant was way harsh at all the time and he also used filthy language rather its turn cruel in nature and frequently becoming furious for no rhyme and reason. The Defendant has beaten the Plaintiff on every other day on petty household matters and due to harsh and unreasonable attitude of defendant towards Plaintiff, she suffered mental torture as well as physical torture.
7. That having Islamic teaching in her credit the Plaintiff has always tolerated that unreasonable and even atrocity of the defendant. The defendant failed to provide plaintiff her basic necessities of life which was not only her right but legal and moral duty and liability of the defendant/husband.
8. That the defendant without intimation and permission of the plaintiff contracted second

marriage, which act of the defendant is punishable under Section 6 of Muslim Family Ordinance 1961 for imprisonment of 1 year and fine amount of Rs.500,000/-.

9. That due to above mentioned situated it is very much hard of the plaintiff to live with the defendant at his house, and since then the defendant failed to perform his responsibilities towards the plaintiff and minor and plaintiff with the help of her family members bearing all the household expense and minor expenses and the defendant never paid any single penny on account of maintenance to the plaintiff.
10. That in this regard the plaintiff through her counsel also sent legal notice to the defendant, but the defendant failed to reply the same till date.

Photocopy of legal notice with its receipt are attached herewith as annexure B to B/

11. That in view of above submission a serious hatred has been created in the heart of the plaintiff against the defendant and she is ready and willing not to live with the defendant as his wife within the limits of Al-Mighty Allah, in any

manner, and now wants to dissolve the marriage by way of khula and in lieu of khula she is ready to forego her dower amount.

12. That the cause of action has arisen to the Plaintiff against the defendant for filing the instant suit firstly when Plaintiff was married with the defendant and thereafter defendant tortured, abused and maltreat the Plaintiff and when the defendant failed to maintain the Plaintiff and failed to perform his responsibilities towards the Plaintiff and lastly when the plaintiff left the house of the defendant in three wearing clothes and residing at the house of her parents with minor and same cause of action is still continued day to day till the instant suit of the Plaintiff is decreed as prayed.
13. That the Plaintiff is residing in the local area of **P.S. _____** which is within the territorial jurisdiction of this Hon'able Court.
14. That the plaint is properly stamped.

PRAYER

It is, therefore, respectfully prayed on behalf of the Plaintiff that this Hon'ble Court may graciously

be pleased to pass a Judgment and Decree in favour of the Plaintiff and against the defendant as follows.

- a) To dissolve the marriage between the plaintiff and defendant by way of khula and in lieu of khula the plaintiff is ready to forego her dower amount.
- b) Cost of the Suit.
- c) Any other relief(s) which this Hon'ble court under the facts and circumstances of the matter may deem fit and proper.

**IN THE COURT OF _____ FAMILY JUDGE
AT KARACHI ()**

F.S NO:

Plaintiff _____ Plaintiff

VERSUS

Defendant _____ Defendant

SUIT FOR RECOVERY OF MAINTENANCE

The plaintiff above named most respectfully submits as under:

1. That the plaintiff above named got married to the defendant on 200X at Karachi according to the Sunni Law of Shariah against the prompt dower amount of Rs.1,000,00/- (one lacs rupees only) which is still unpaid. (*Copy of nikkahnama is attached herewith as annexure*)
2. That the Rukh sati took place on the same day of Nikah and the marriage was consummated by the union of the spouses and out of this wedlock no issues were born. This was the second marriage of the defendant.
3. That after the marriage the plaintiff lived with the defendant as his loyal, faithful wife and led her matrimonial life with love and affection with the defendant.
4. That the defendant is working with Karachi Dark Labor Board and making a handsome salary. The defendant also runs his own hotel in an area and easily makes around Rs.8000/- per

day from that hotel. The total income of the defendant is almost around Rs.300000/- per month.

5. That the defendant being the husband is legally and according to shariah bond to provide/maintain all the necessity of the life to the plaintiff but the defendant used to pay the maintenance of the plaintiff irregularly and has completely stopped paying the maintenance from the last 2 years till now.
6. That the plaintiff resides in a rental house which is also provided by the defendant but the defendant has also stopped to pay the rent and all the other expenses including utilities of the house.
7. That the plaintiff is a housewife and does not make a living of her own hence she does not have the resources to fulfill the basic necessities of the life.
8. That the cause of action arose soon after the marriage and thereafter from time to time and finally from the last two years i.e. 20xx when defendant stopped to maintain the plaintiff and since then the cause of action is continued.
9. That the plaintiff is residing in the local area which is within the territorial jurisdiction of this Honorable Court.
10. That the prescribed court fee stamps have been fixed on the plaint.

PRAYER

It is, therefore, respectfully prayed that this Honorable court may be pleased to pass Judgement and Decree in favor of the plaintiff against the defendant as under:

- a) To direct the defendant to pay the dower amount of RS.100000/- to the plaintiff.
- b) To direct the defendant to pay the maintenance to the plaintiff of the last two years i.e. 20XX when he stopped paying the maintenance of the plaintiff at the rate of Rs. 70000/- per month.
- c) Cost of the suit
- d) Any other or further relief (s) which this Honorable court may be pleased to grant under the circumstances of the case.

**IN THE COURT OF _____ FAMILY JUDGE
AT KARACHI ()**

F.S NO:

Plaintiff _____ Plaintiff

VERSUS

Defendant _____ Defendant

**APPLICATION UNDER SEC. 17-A OF WEST PAKISTAN FAMILY
COURT ACT 1964**

It is most respectfully prayed on behalf of the plaintiff that this Hon'ble Court may be pleased to pass an INTERIM ORDER OF THE PART MAINTAINENACE of the plaintiff at the rate of Rs. 70,000/- per month, as prayed in the main plaint, till the time of final disposal of this suit.

Prayer is made in the greater interest of justice and in the spirit of new amended law in Family Court Act.

Karachi

Dated: Advocate for Plaintiff

**IN THE COURT OF _____ FAMILY JUDGE
AT KARACHI ()**

Plaintiff Plaintiff

VERSUS

Defendant Defendant

AFFIDAVIT FOR APPLICATION UNDER SECTION 17-A OF WEST PAKISTAN FAMILY COURT ACR 1964

I, Plaintiff, W/O Defendant, Muslim, do hereby declare and verify on oath as under:

- a)** That I say that the accompanying Application under Sec.17-A of the West Pakistan Family Court Act 1964, has been drafted under my instruction and the contents thereof have been read over.
- b)** That I say that vehemently of the facts contained therein are true and same for the brevity's sake may be treated as part and parcel of this affidavit.
- c)** That I say that defendant works with the Karachi Dark Labor Board and has his own hotel, earning around Rs. 300000/- per month is bond through shariah and the law of Pakistan to maintain the plaintiff
- d)** That whatever is stated above is true and the best of my knowledge.

Karachi

Dated:

DEPONENT

**IN THE COURT OF _____ FAMILY JUDGE
AT KARACHI ()**

Plaintiff Plaintiff

VERSUS

Defendant Defendant

LIST OF WITNESSES

**IN THE COURT OF _____ FAMILY JUDGE
AT KARACHI ()**

Plaintiff..... Plaintiff

VERSUS

Defendant..... Defendant

AFFIDAVIT

I, Plaintiff, do hereby state on oath as under:

1. That I am the Plaintiff in the above matter and Deponent of this affidavit and as such am fully conversant with contents of this affidavit.
2. That I am the citizen of Pakistan and I am holding the CNIC No._____.
3. That I have read the accompanying application the contents of the same are true and correct which may kindly treated as part and parcel of this affidavit for the sake of brevity.

4. That whatever stated above is true and correct to the best of my knowledge & belief.

IN THE COURT OF CIVIL & FAMILY JUDGE EAST AT KARACHI

G & W Appl. No. / 2023

Mst. Plaintiff -----APPLICANT

VERSUS

1. Defendant

2. Public at Large-----RESPONDENTS

child

Son of Defendant,

Muslim, Minor, presently
under the Care and custody
of applicant-----MINOR/WARD

GUARDIAN & WARD APPLICATION UNDER SECTION 7 & 10
OF THE GUARDIAN ANDWARDS ACT 1890
FOR APPOINTMENT OF GUARDIAN

The applicant above named most humbly and respectfully submits as under:-

1. That the applicant was married with the respondent No.1 on 20XX at Karachi according to Muslim Hanafi Faith.

***Photocopy of Nikahnama is attached
herewith as annexure A.***

2. That after Nikah the rukhsati taken place and the applicant joined the respondent No.1 and performed

her matrimonial obligations towards the respondent No.1 and out of this wedlock one minor namely Master child was born on 20XY and at present is in the custody of applicant.

Photocopy of birth Certificate is filed herewith as annexure B.

3. That the respondent No.1's attitude towards the applicant and her family harsh, painful, humiliating and insulting which made the life of applicant extremely miserable. The respondent No.1 is neglecting father also and he failed to give proper attention towards the applicant and minor and the respondent No.1 kicked out the applicant from his house alongwith minor.
4. That on 20YX the respondent No.1 divorced the applicant.

Photocopy of Divorce Deed is filed herewith as annexure C.

5. That the respondent No.1 also filed H.C.P. No.AA/BBBB, before the concerned Court of law, which was dismissed by the learned District & Sessions Judge Karachi East vide order dated AB-CD-20XY.
6. That the respondent No.1 being father badly failed to perform his responsibilities towards the minor and having no any love and affection and from the

very first day applicant and her parents maintaining the minor with love and affection.

7. That the applicant is real mother and natural guardian of the minor and has no adverse interest against the said minor rather can take and is taking good care of the minor for her welfare.
8. That for the betterment education admission, traveling and going to Hajj Umrah the applicant need Guardian Certificate therefore being her appointment better future of the minor the Certificate for Guardianship is very necessary needed to the applicant as without that the applicant having face many difficulties in admission and traveling with the minor.
9. That the applicant requires Guardianship Certificate for the purpose of obtaining the necessary and required documents for educational other purpose as the applicant is legal and lawful natural guardian of the minor being real mother and entitled for Guardianship Certificate and liable to be declared Guardian of minor for her better future.
10. That no application was filed by the applicant before any Court of law or other authority for

appointment of Guardian Applicant is fully qualified and entitled according to law for appointment as guardian of minor.

11. That the cause of action firstly accrued to file the instant G&W Application, when after divorce the applicant being real mother of the minor facing very difficulties in obtaining the documents, certificates etc. of the minor from the concerned department, for which she required guardianship certificate and the same cause of action is still continue day to day.
12. That the applicant and minor are residing within the jurisdiction of this Hon'ble Court at P.S. _____, within the territorial jurisdiction of this Hon'ble Court.
13. That proper Court fee is affixed herewith.

PRAYER

It is therefore prayed that this Hon'ble Court may be pleased to pass an order in favour of the applicant as under:-

- a) To appoint and declare that the applicant is lawful guardian of the minor namely child who

was born on 20XY at Karachi and issue Guardianship Certificate in favour of the applicant.

- b) To allow the applicant to appear on behalf of the minor to collect the Guardianship Certificate and appear before any Govt. Department authority, authorities, concerned for the welfare betterment interest of the minor for her better future life, education, wealth, upbringing and also with powers to take away the minor inside or outside Pakistan as per need and requirement of the minor for education and other purposes etc..
- c) To any other relief or relief(s) which this Hon'ble Court may deems, fit and proper under the circumstances of the case.

VERIFICATION

I, Plaintiff the applicant in the above matter do hereby solemnly affirmed and verify on Oath that the contents of all the above paras including prayer clauses are true and correct to the best of my knowledge and belief.

**IN THE COURT OF CIVIL & FAMILY JUDGE EAST AT
KARACHI**

G & W Appl. No. / 2023

Mst. Plaintiff-----APPLICANT

VERSUS

Defendant & another-----RESPONDENTS

child-----MINOR/WARD

LIST OF WITNESSES

**IN THE COURT OF CIVIL & FAMILY JUDGE EAST AT
KARACHI**

G & W Appl. No. / 2023

Mst. Plaintiff-----APPLICANT

VERSUS

Defendant & another-----RESPONDENTS

child-----MINOR/WARD

AFFIDAVIT OF WITNESS No.1

I, _____ S/o _____, Muslim,
adult, resident of _____
_____, Karachi, do hereby
state on Oath as under:-

1. That I am one of the witnesses in the above matter, and deponent of this affidavit as such am fully conversant with the facts stated herein.
2. That I say that I know Mst. Plaintiff and minor/ward Master child who is residing with the applicant and under her custody and control and the applicant is maintaining the minor/ward from her own resources.

Whatever stated above is true and correct to the best of my knowledge and belief.

A D V O C A T E

Sworn before me on Oath at Karachi on this _____ day of December 2023, by the deponent abovenamed who is identified to me by **Ms. _____**, ADVOCATE, who is known to me personally.

COMMISSIONER FOR TAKING AFFIDAVITS
IN THE COURT OF CIVIL & FAMILY JUDGE EAST AT KARACHI

G & W Appl. No. / 2023

Mst. Plaintiff-----APPLICANT

VERSUS

Defendant & another-----RESPONDENTS

child-----MINOR/WARD

AFFIDAVIT OF WITNESS No.2

I, _____ S/o _____, Muslim,
adult, resident of _____
_____, Karachi, do hereby
state on Oath as under:-

1. That I am one of the witnesses in the above matter, and deponent of this affidavit as such am fully conversant with the facts stated herein.
2. That I say that I know Mst. Plaintiff and minor/ward Master child who is residing with the applicant and under her custody and control and the applicant is maintaining the minor/ward from her own resources.

Whatever stated above is true and correct to the best of my knowledge and belief.

A D V O C A T E

Sworn before me on Oath at Karachi on this _____ day of December 2023, by the deponent abovenamed who is identified to me by **Ms. _____**, ADVOCATE, who is known to me personally.

COMMISSIONER FOR TAKING AFFIDAVITS
IN THE COURT OF CIVIL & FAMILY JUDGE EAST AT KARACHI

G & W Appl. No. / 2023

Mst. Plaintiff-----APPLICANT

VERSUS

Defendant & another-----RESPONDENTS

child-----MINOR/WARD

DECLARATION U/S 10(3) OF THE GUARDIAN AND WARD ACT 1890

I, Plaintiff do hereby state on Oath as under:-

1. That I am declarant, executant of this Declaration as fully conversant with the facts of the case.
2. That I say that I am liable to be declared Guardian of my son child who was born on 10-01-2020 at Karachi since Birth all the expenses of the minor borne by me.
3. That I say that and declare that I am willing, prepared, and capable in all aspects to be appointed as the Guardian of the person of the minor/ward.

4. That the welfare of the above named minor/ward lies in my hands being real mother and that for the sake of his bright future, and in the interest of justice, I may be appointed as "Guardian" of the said minor/ward.
5. That until and unless the suit is granted as granted, I as well as minor/ ward shall suffer irreparable loss and seriously be prejudiced.

Whatever stated above is true and correct to the best of knowledge belief to be true.

Karachi:

Dated: -10-2023

DEPONENT: _____

CNIC: _____

CELL: _____

Identified by me.

A D V O C A T E

Sworn before me on Oath at Karachi on this _____ day of December 2023, by the deponent abovenamed who is identified to me by **Ms.** _____, ADVOCATE, who is known to me personally.

COMMISSIONER FOR TAKING AFFIDAVITS

**IN THE COURT OF XIVth FAMILY JUDGE CENTRAL AT
KARACHI**

F.S. No. 2581/2023

Mst. Kinza Rashida Khan ----- PLAINTIFF

VERSUS

Mr. Danish Tariq -----DEFENDANT

WRITTEN STATEMENT

The defendant abovenamed respectfully begs to file his written statement in the above titled suit as under:

PRELIMINARY LEGAL OBJECTIONS

- A. That under the facts and circumstances of the matter, the plaintiff has no cause of action to file the instant suit, as such the same is liable to be dismissed.
- B. That the plaintiff, intentionally & malafidely by stating false story has approached to this Hon'ble Court with unclean hands, as such the plaintiff is not entitled for any relief from this Hon'ble Court.

**WITHOUT PREJUDICE to the above stated legal objections, parawise reply
is as under:**

- 1. That the contents of Para No. 1 to 3 of the plaint are admitted.

2. That the contents of Para no.4 are denied. It is submitted that the behavior of the defendant was caring and loving with the plaintiff and tried to do his level best to keep happy plaintiff No. 1 to 3.
3. That the contents of Para No.5 of the plaint are vehemently denied, as the same are false and baseless. It is submitted that there has been good understanding between the plaintiff and defendant, and the defendant and his family never victimized the plaintiff as such always give respect and importance to the plaintiff, the defendant was very cooperative with plaintiff as such the plaintiff was happy with the defendant but due to some negative approach the plaintiff left the house of defendant and defendant still ready to spend his matrimonial life along with plaintiff.
4. That the contents of Para No.6 of the plaint are vehemently denied, as the same are false and baseless. It is submitted that the plaintiff left the house of defendant at her own wish in June, 2023, thereafter the mother of the plaintiff called the defendant to bring her at defendant house, defendant went to the plaintiff's parents' house to bring back the plaintiff but plaintiff refused to go back with the defendant, defendant tried his level best to take back his wife but she refused to do so, then the defendant spent 3 to 4 months at his Sasuraal for taking back to his wife/plaintiff No.1 finally she

refused to go back, as such the defendant always fulfilled the marital obligations from his side as well as great love and affection towards the plaintiff and defendant always try to sort out the said issues.

5. That the contents of Para No.7 of the plaint are vehemently denied, It is submitted that the defendant spent 3 to 4 months to bring back the plaintiff No.1 and afford all the expenses and households when the defendant spent 3 to 4 months at the house plaintiff's parents, defendant and plaintiff's parents tried to reconcile the matter but the plaintiff flatly refused to reconcile.
6. That the contents of Para No.8 & 9 of the plaint are vehemently denied. It is submitted that the income of defendant is not fixed, as such the defendant is a little photographer, sometimes he has work and sometimes he don't have any work or money. It is pertinent to mentioned herein that nowadays defendant is jobless and looking for job.
7. That the contents of Para No.10 & 12 of the plaint are formal and need no reply.

8. That the content of Para No. 13 are vehemently denied, as the same are false story that no cause of action arose against defendant and the plaintiff never tried to reconcile the matter, when the defendant called the plaintiff and asked to come back to her house however the plaintiff flatly refused to come and changed her behavior towards the defendant, and the dispute between the parties never ever arose, such as defendant is still willing to spend his matrimonial life with the plaintiff.

PRAYER

- (a) Therefore under the above stated facts and circumstances, it is humbly prayed that this Hon'ble Court may graciously be pleased to dismiss the above titled suit of the plaintiff.
- (b) To direct the plaintiff to join the defendant and discharge her matrimonial obligation/conjugal rights of pertaining to defendant.
- (c) To grant cost of the suit or any other relief which this Hon'ble Court under the facts and circumstances of the matter may deem fit and proper.

Karachi:

DEFENDANT

Dated: 30-11-2023

Advocate for the Defendant

VERIFICATION

I, Mr. Danish Tariq S/o Tariq Sardar, Muslim, Adult, R/o Karachi, the defendant in the above matter do hereby solemnly affirmed and verify on Oath that the contents of all the above paras including prayer clauses are true and correct to the best of my knowledge and belief.

Karachi:

Dated: 30-11-2023

DEPONENT

Identified by me.

ADVOCATE

Sworn before me on Oath at Karachi by the deponent above named who is identified to me by **Ms. KULSOOM KHAN JADOON ADVOCATE**, who is known to me personally.

COMMISSIONER FOR TAKING AFFIDAVITS

DOCUMENT FILED	As per annexures.
DOCUMENTS RELIED UPON	Copy of Original of the Annexures, and all other relevant documents.
ADDRESS OF THE PARTIES	As in Title.
ADDRESS FOR SERVICE OF PLAINTIFF'S COUNSEL.	As in Vakalatnama.
\	

IN THE COURT OF XIVth FAMILY JUDGE CENTRAL AT KARACHI

F.S. No. 2581/2023

Mst. Kinza Rashida Khan -----PLAINTIFF

VERSUS

Mr. Danish Tariq -----DEFENDANT

LIST OF WITNESSES.

1. Defendant. He will corroborate the version
 Of his contents

2.

3. -----do-----

They will corroborate and support the version of the defendant.

DEFENDANT

Karachi:

Dated: 30-11-2023

Advocate for the Defendant.

**IN THE COURT OF XIVth FAMILY JUDGE CENTRAL AT
KARACHI**

F.S. No. 2581/2023

Mst. Kinza Rashida Khan -----PLAINTIFF

VERSUS

Mr. Danish Tariq -----DEFENDANT

**COUNTER AFFIDAVIT/OBJECTIONS TO THE
APPLICATION OF 17-4 OF THE WEST PAKISTAN
FAMILY COURT ACT 1964**

I, Danish Tariq S/o Tariq Sardar, Muslim, adult, resident of Karachi, do hereby state on oath as under :-

1. That I am the defendant in the above matter and deponent of this affidavit and well conversant with the facts of the case.
2. That I say that I have gone through the application of 17-A of the West Pakistan Family Court Act 1964 of the interim maintenance after understand the same, I hereby denied each and every averments mentioned therein hereto reply as under.
3. That I am jobless and I can only pay Rs.2000/- per month, am very hardly completing my basic needs as such I am jobless and could not afford the amount and expenses of minors out of my limit.
4. That for the sake of brevity the contents of my written statement may be treated as part and parcel of this counter affidavit.

5. That whatever stated above is true and correct to the best of my knowledge and belief.

Karachi

Dated : 30-11-2023

Deponent

Advocate for the Defendant.

**IN THE COURT OF FAMILY JUDGE,
KARACHI (EAST)**

Family Suit No. of 2021

1. **Mst. Wajiha D/o
Muhammad Akber,**
Muslim, Adult, Resident of
House No. 3/1446, Shah faisal Colony No.3,
Karachi.

2. **Hoorain .**
Aged about 1 year,
Muslim, Minor,
through her mother
the Plaintiff No. 1 Plaintiffs.

Versus

**Muhammad Wajahat Khan
S/o Muhammad Javed Khan,**
Muslim, Adult, Resident of
House No. 3/695, Shah faisal Colony
No.3, Karachi. Defendant.

**SUIT FOR RECOVERY OF DOWER AMOUNT,
MAINTENANCE, MEDICAL EXPENSES AND DOWRY
ARTICLES.**

The Plaintiff No. 1 respectfully submit as under : -

- 1) That the Plaintiff No. 1 was married with the defendant on 20.12.2018, against the dower amount of Rs. 50,000/- (Fifty Thousand Only), which is yet not paid.

(The Photocopy of Nikahnama is annexed herewith and marked as Annexure "A").

- 2) That out of this wedlock one child namely Hoorain aged about 1 year, was born, who is in the custody of Plaintiff No. 1
- 3) That at the time of marriage, dowry articles were given as per list to the Plaintiff by her parents of valuing Rs. _____, which are lying under the possession of the defendant's house.

(The Photocopies of receipts are annexed herewith and marked as Annexure _____.)

- 4) That the copy of receipts of hall booking, furniture, crockery, Electronics Items and list of dowry articles, containing price, are attached here.

(The Photocopies of receipts are annexed herewith and marked as Annexure).

- 5) That the defendant used to maltreat and abuse the Plaintiff No. 1 without any fault on petty matters and prevent the Plaintiff to visit her parent's house as well as restriction made on her parents to visit his house.
- 6) That the dispute started from September , 2020 due to defendant's objectionable, intolerable, unavoidable act seen by plaintiff No.1 at her husband's office which is built upstairs of the defendant house hence, defendant's inappropriate activities badly hurt the plaintiff and compelled the plaintiff No.1 to take an action due to that reason the defendant having affairs with many women and used to make phone and video calls and chats with woman , this act was not tolerable for plaintiff even any women cannot tolerate this type of act of her husband, this act was increasing day by day. Finally plaintiff decided to reside at her parent' house since 01-12-2020 for peace of mind and also healthy environment for minor.
- 7) That the defendant has malafidely filed conjugal rights case bearing No.2365/2021 before XXIst Family Judge East, Karachi. Which is disposed of and Khulla has been granted by the Hon'ble Court to plaintiff No.1 on dated:06.09.2021, it is pertinent to mention herein that the defendant only to safe

the dower amount and also maintenance of plaintiff No.1 &2 as he still failed to pay maintenance of them.

(The certified Photocopy of order dated: 06.09.2021 is annexed herewith and marked as Annexure).

8) That the defendant has also filed G&W Application No.2362/2021 before XXIst Family Judge East, Karachi. Which is pending for adjudication.

9) That the defendant having import & Export business by the name of "MUGHAL TRADERS" and his monthly earning is more than Rs.300,000/- per month, thus the defendant having handsome amount monthly from his business but he failed to pay the maintenance to the plaintiff No.1 as well as the minor plaintiff No.2.

(The Photocopies of business activities annexed herewith and marked as Annexure).

10) That the defendant has failed to maintain the Plaintiff No. 1 and his daughter (Hoorain) since 1st December,2020 till the date of filling this case and did not given any single penny to the plaintiffs and defendant left them alone, being a father defendant is responsible to maintain his wife and daughter but he failed to maintain them.

- 11) That the family of Plaintiff No.1 maintaining to plaintiff No. 1 & 2 from 1st December,2020 till today.
- 12) That the cause of action arisen firstly when marriage was solemnized, secondly when the defendant misbehaved/beat the Plaintiff and finally when the defendant left the Plaintiff and plaintiff along with plaintiff No.2 (minor) were start living in her parents' house and is continue till filing of this matter before this Honourable court.
- 13) That the cause of action arisen within the local limits of Police Station _____, Karachi, which falls within the territorial jurisdiction of this Honourable court.
- 14) That the prescribed court fee has been affixed according to law.

P R A Y E R

It is, therefore, prayed that this Honourable Court be pleased to pass Judgment and Decree in favour of the Plaintiffs and against the defendant as under : -

- 1) To direct the defendant to pay the dower amount of Rs. 50,000/- to the Plaintiff No. 1.
- 2) To direct the defendant to handover all the dowry articles of the Plaintiff No. 1, as per list or in **alternate** pay the cost of the articles of amounting to **Rs. 419,500/-**.
- 3) To direct the defendant to pay past and future maintenance of the defendant till iddat period at the rate of Rs. 25,000/- per month and Rs. 25000/- of minor past and future maintenance since 01.12.2020 to the date at the same rate on the increment of 15% annually.
- 4) Any other relief or relieves, which this Honourable Court deem fit and proper in the circumstances of the case.
- 5) Cost of the suit may also be awarded.

P L A I N T I F F S

V E R I F I C A T I O N

I, WAJIHA daughter of Muhammad Akber, do hereby verify on oath that whatever has been stated in the foregoing paras are true and correct to the best of my knowledge and belief.

D E P O N E N T.

The deponent above named is identified by me to the commissioner for taking affidavits.

A D V O C A T E.

Declared on oath before me by the deponent above named, on this _____ day of November, 2021 at Karachi, who is identified by **Kulsoom Khan Jadoon**, Advocate, who is known to me personally.

COMMISSIONER FOR TAKING AFFIDAVITS.

**IN THE COURT OF FAMILY JUDGE,
KARACHI (EAST)**

Family Suit No. of 2021

1. **Mst. Wajiha**
2. **Hoorain** Plaintiffs.

Versus

Muhammad Wajahat
Khan Defendant.

ADDRESS FOR SERVICE

1. **Mst. Wajiha D/o Akber,**
Muslim, Adult, Resident of
House No. 3/1446, Shah faisal Colony No.3,
Karachi.
2. **Hoorain** .
Aged about 1 year,
Muslim, Minor,
through her mother

Karachi:

Dated: 27.11.2021 ADVOCATE FOR THE PLAINTIFFS.

**IN THE COURT OF FAMILY JUDGE,
KARACHI (EAST)**

Family Suit No. 10-00000 of 2021

1. **Mst. Wajiha**
 2. **Hoorain** Plaintiffs.

Versus

Muhammad Wajahat Khan Defendant.

LIST OF WITNESSES

- | | |
|-------------------------------------|---|
| 1. Plaintiff
Of her contents | She will corroborate the version |
| 2. Adil
Brother of the plaintiff | Support the version of
the defendant |
| 3. | -----do----- |

They will corroborate and support the version of the plaintiff.

Karachi:

Dated: 27.11.2021 ADVOCATE FOR THE PLAINTIFFS.

**IN THE COURT OF FAMILY JUDGE,
KARACHI (EAST)**

Family Suit No. of 2021

1. **Mst. Wajiha**
2. **Hoorain** Plaintiffs.

Versus

Muhammad Wajahat
Khan. Defendant.

**APPLICATION UNDER SECTION 17-A
OF FAMILY COURT ACT**

For the reasons disclosed in the accompanying affidavit, it is respectfully prayed on behalf of the Plaintiffs above named that this Honourable Court may be pleased to pass the order for interim maintenance of the Plaintiff No.2 at the rate of Rs. 25,000/- per month, as the Plaintiff No. 2 is in urgent need of financial help.

It is, therefore, prayed that this Honourable court be pleased to pass the order for interim maintenance at the rate of Rs. 25,000/- per month for Plaintiff No.1, in the interest of justice.

Karachi:

Dated: 13.11.2021

ADVOCATE FOR THE PLAINTIFFS.

**IN THE COURT OF FAMILY JUDGE,
KARACHI (EAST)**

Family Suit No. of 2021

1. **Mst. Wajiha**

2. **Hoorain** Plaintiffs.

Versus

Muhammad Wajahat

Khan Defendant.

A F F I D A V I T

I, WAJIHA AKBAR daughter of Muhammad Akber, Muslim, adult, Resident of Karachi, do hereby state on oath as under : -

- 1) That I am Plaintiff No. 1 in the above matter, as such fully conversant with the facts of the case.

- 2) That the accompanying application u/s 17-A of Family Court Act, has been drafted and filed under my specific instructions, as such the same may be treated as part and parcel of this affidavit for the sake of brevity.

3) Whatever has been stated above is true and correct to the best of my knowledge and belief.

DEPONENT.

The deponent above named is identified by me to the commissioner for taking affidavits.

ADVOCATE.

Declared on oath before me by the deponent above named, on
this _____ day of November, 2021 at Karachi, who is identified by Kulsoom
Khan Jadoon, Advocate, who is known to me personally.

COMMISSIONER FOR TAKING AFFIDAVITS.

IN THE COURT OF CIVIL AND FAMILY JUDGE AT KARACHI
(EAST)

Family Suit No /2023

Mst. Waheeda D/o Ihsam Uddin Plaintiff

VERSUS

Hammad Gul

..... Defendant

AFFIDAVIT IN EXPARTE PROOF

I, Mst Waheeda Daughter of Ihsam Uddin, Muslim, Adult, resident of, Karachi, do hereby state on oath as under: -

1. That I am plaintiff in the above suit as such am well conversant with the facts of the case. That the contents of my plaint may kindly be treated as part and parcel of this affidavit for the sake of brevity.

2. That I say that I was married with the defendant on 13/02/2021, according to the Muslim Family Law, against the dower amount of Rs.5000/-, which is still unpaid. It is further averred that the plaintiff prior to Nikah also executed affidavit of free will before Justice of Peace/ Magistrate **Copies of Nikkah Nama and Affidavit of Freewill are enclosed herewith and marked as annexure 'A' and 'B'.**

3. That I say that after Nikah, Rukhsati took place and marriage was duly consummated between the spouses, while from the said wedlock there is no issue was born.

4. That I say that after some time of marriage, defendant changed his behaviour and showed his true colors of his eyes and started rude behaviour with me and made my life miserable day by day.
5. That I say that the defendant always used to torture, abuse & maltreat me but I having no alternate shelter endured all that just under the hope that by the passage of time the defendant will realize his responsibilities and resultantly in future a happy & normal matrimonial life will start for me but all my such hopes went in vain due to continuous habitual misconduct, maltreatment, ill attitude, immoral and financial demands and illegal activities of the defendant.
6. That I say that the defendant during entire matrimonial life failed to properly maintain me and I myself by doing job in the houses earn livelihood for myself.
7. That I say that the defendant after beating kicked out me only wearing my three clothes and since then I am residing at my parent's house and the defendant miserably failed to send single penny in lieu of maintenance for me and both the spouses are living separately since last one year.
8. That I say that neither the defendant ever did not provide me any love or affection nor the defendant performed his legal & moral matrimonial

obligations towards me as prescribed under Islam. Further I had tried my level best to incline the defendant for desisting from his immoral demands, ill attitude, unlawful conduct, illegal financial demands and un-human behaviour and to realize him the matrimonial responsibilities laid upon him by Almighty Allah, but due to obstinacy of the defendant all my sincere efforts remain result less. It will not be out of place to disclose here that some common well wishers of both the parties have also tried to incline the defendant for keeping me as his wedded wife by providing me the rights and to behave with me like a human but the defendant did not pay any heed towards those sincere advices.

9. That I say that I have developed serious hate in her heart against the defendant and now under the circumstances, I will preferred to die instead of rejoining the defendant as his wife, hence the above suit for dissolution of marriage by way of Khulla was filed by me.
10. That I say that I am ready to forgo my dower amount in lieu of Khula granted by this Hon'ble Court.
11. That I say that the cause of action has arisen to me against the defendant for filing the instant suit against the defendant firstly when I was married with the defendant and thereafter defendant failed to maintain her and always used to beat, maltreat, abuse and torture me and finally defendant

after beaten kicked out the me only wearing her three clothes and the same cause of action is still continued day to day till the instant suit is decreed as prayed.

12. That I say that I am residing at the above mentioned address, within the territorial limits of P.S. Mobina Town, which is within the jurisdiction of this Hon'ble Court.
13. That I state that despite of issuance of repeated summons through all modes of services i.e. TCS, Registered A/D as required by order V Rule 9, 10-A CPC, the defendant did not turn up and failed to file written statement and as such this Honorable Court was pleased to declare him as ex parte with directions to me to file affidavit in ex parte proof, hence this affidavit.
14. That I say that it is, therefore, respectfully prayed that this Hon'ble Court may graciously be pleased to pass a Judgment and Decree in my favour and against the defendant as follows: -
 - a). To dissolve the plaintiff's marriage with the defendant by way of Khula, as the plaintiff is ready to forgo her dower amount in lieu of Khula.
 - b). To grant cost of the Suit or any other relief(s) which this Hon'ble Court under the facts and circumstances of the matter may deem fit and proper.

15. That unless my plaint is decree is prayed I shall seriously prejudiced and suffer irreparable loss.
16. That whatever stated above is true and correct to the best of my knowledge and belief.

Karachi:

Dated:

DEPONENT

**IN THE COURT OF XVIIth FAMILY JUDGE SOUTH AT
KARACHI**

F.S. No. /2023

Mst. Anum Soomro -----PLAINTIFF

VERSUS

Ahsan Khan -----DEFENDANT

WRITTEN STATEMENT

The defendant abovenamed respectfully begs to file his written statement in the above titled suit as under:

PRELIMINARY LEGAL OBJECTIONS

- A. That under the facts and circumstances of the matter, the plaintiff has no cause of action to file the instant suit, as such the same is liable to be dismissed.

- B. That the plaintiff, intentionally & malafidely by stating false story has approached to this Hon'ble Court with unclean hands, as such the plaintiff is not entitled for any relief from this Hon'ble Court.

WITHOUT PREJUDICE to the above stated legal objections, parawise reply is as under:

1. That the contents of Para No. 1 of the plaint are admitted upto the extent of marriage, while rest of the para are denied, as far as defendant had paid the entire dower amount to the plaintiff.
2. That the contents of Para No. 2 of the plaint are admitted as such it is fact.
3. That the contents of Para no.3 & 4 are denied. It is submitted that the behavior of the defendant was caring and loving with the plaintiff and tried to do his level best to maintain the plaintiff.
4. That the contents of Para No.5 of the plaint are vehemently denied, as the same are false and baseless. It is submitted that there has been good understanding between the plaintiff and defendant, and the defendant and his family never victimized the plaintiff as such always give respect and importance to the plaintiff and the defendant and his family was very cooperative with plaintiff as such the plaintiff was happy with the defendant

but due to negative approach of the plaintiff's father, he was not leaving the plaintiff to spend her matrimonial life along with defendant.

5. That the contents of Para No.6 of the plaint are vehemently denied, as the same are false and baseless. It is submitted that the plaintiff was happily living with the defendant and with his family. It is pertinent to mention herein that the father of the plaintiff used to call her one time in a week for his care, as such he was living separate/alone in ground floor of his house, so he always tried to bring her for his care, therefore he do not want to leave the plaintiff to spend her matrimonial life with the defendant, hence the father of plaintiff always tried to create issues/problems in the house of defendant for his personal interest and benefits.
6. That the contents of Para No.7 of the plaint are vehemently denied, as the same are false and baseless. It is submitted that the plaintiff brought a NOKIA button mobile from her "Mehka" which was not in good condition thereafter the defendant promised to buy new mobile for the plaintiff after few months and said to the plaintiff that she may be used defendant's mobile temporarily to contact with her family members and it is pertinent to mention herein that the plaintiff used to talk on call with her family members

for hours through defendant's mobile and he never ever restrain her to talk with her family.

7. That the contents of Para No.8 of the plaint are vehemently denied, as the same are false, concocted, baseless, fictitious and vexatious. It is respectfully submitted that on 03.05.2022 the plaintiff was happy and fine with the defendant and also captured photographs with the family of defendant as such the defendant and his family always provide her proper care. It is further submitted that the plaintiff left the house of defendant at her own wish on 03.05.2022 when her father brought her forcibly and she left the house of defendant without his prior permission as such the defendant always fulfilled the marital obligations from his side as well as great love and affection towards the plaintiff and defendant always try to sort out the said issues.

8. That the contents of Para No.9 of the plaint are admitted as such this is fact in the case.

9. That the contents of Para No.10 of the plaint are vehemently denied. It is submitted that the defendant never ever given chance to complain regarding her maintenance and necessities as such both were

happy with each other but the father of the plaintiff took interest to interfere in their matrimonial life and mostly visited to her daughter's house / Susural without prior intimation to the defendant or his mother which was not tolerable for them. It is pertinent to mention herein that the plaintiff's father visited the whole house in the absence of defendant and his mother and used to check out the confidential things of the defendant house.

10. That the contents of Para No.11 of the plaint are vehemently denied. It is submitted that the plaintiff did not bring any material/documentary evidence to support her claim against the defendant. The plaintiff is put to prove her leveled allegations strictly according to law because defendant paid attention to her and completed her all necessities etc.
11. That the content of Para No. 12 are vehemently denied, as the same are false story that no cause of action arose against defendant and the plaintiff side never tried to reconcile the matter, when the defendant called the plaintiff and asked to come back to her house however the plaintiff flatly refused to come and changed her behavior towards the defendant and the dispute between the parties arose by the plaintiff and defendant still ready to reconcile the dispute between them, such as defendant is still willing to spend his matrimonial life with the plaintiff.

12. That the content of Para No. 13 & 14 are formal and need no reply.

PRAYER

- (a) Therefore under the above stated facts and circumstances, it is humbly prayed that this Hon'ble Court may graciously be pleased to dismiss the above titled suit of the plaintiff.
- (b) To direct the plaintiff to join the defendant and discharge her matrimonial obligation/conjugal rights of pertaining to defendant.
- (c) To grant cost of the suit or any other relief which this Hon'ble Court under the facts and circumstances of the matter may deem fit and proper.

Karachi:

DEFENDANT

Dated: 26-05-2023

Advocate for the Defendant

VERIFICATION

I, Mr. Ahsan Khan S/o Ali Khan, Muslim, Adult, R/o Karachi, the defendant in the above matter do hereby solemnly affirmed and verify on Oath that the contents of all the above paras including prayer clauses are true and correct to the best of my knowledge and belief.

Karachi:

Dated: 26-05-2023

DEPONENT

Identified by me.

ADVOCATE

Sworn before me on Oath at Karachi by the deponent above named who is identified to me by **Ms. KULSOOM KHAN JADOON ADVOCATE**, who is known to me personally.

COMMISSIONER FOR TAKING AFFIDAVITS

DOCUMENT FILED

As per annexures.

DOCUMENTS RELIED UPON

Copy of Original of the Annexures, and all other relevant documents.

ADDRESS OF THE PARTIES

As in Title.

ADDRESS FOR SERVICE OF
PLAINTIFF'S COUNSEL. As in Vakalatnama

IN THE COURT OF XVITH FAMILY JUDGE AT KARACHI (SOUTH)

F.S. No. 1507/ 2023

Mst Sidra.....Plaintiff

VERSUS

Muhammad Khawar Malik.....Defendant

AFFIDAVIT IN EX-PARTE PROOF.

I, Mst. Sidra Rafia D/o Rafiullah Anjum, Muslim, Adult, Resident of Karachi, do hereby state on oath as under : -

1. That I say that I am the Plaintiff in the above matter as well as deponent of this affidavit, as such am fully conversant with the facts of the case.

2. That I say that the I was married with the defendant on 05-11-2021, according to the Muslim Family Law, against the dower amount of Rs.5,000/-, being prompt was paid at the time of *Nikahnama*. It is pertinent to mention that marriage took place at Mianwali and thereafter we both the spouses shifted to Karachi.

(Photocopy of Nikahnama and Electricity Bill have already been enclosed with the plaint and marked as annexure 'A' and 'B'.)

3. That I say that after Nikah, Rukhsati took place and marriage was duly consummated between us and I joined the defendant as his legally wedded wife , while from the said wedlock no issue was procreated.
4. That I say that after some time of marriage, defendant changed his behaviour and showed his true colors of his eyes and started rude behaviour with me and made my life miserable day by day, before marriage he don't like me and he like to his another cousin, therefore, he could not try to change his behavior with me.
5. That I say that the defendant always used to torture, abuse & maltreat me but the I have no alternate shelter endured all that just under the hope that by the passage of time the defendant will realize his responsibilities and resultantly in future a happy & normal matrimonial life will start for me but all such my hopes went in vain due to continuous habitual misconduct, maltreatment, ill attitude, immoral and financial demands and illegal activities of the defendant. It is further submitted that he never loved and cared to me and also failed to take interest in me, which showed that he is not happy with the said marriage. It is further submitted that the defendant is also avoiding to keep me with him and also failed to pay maintenance to me since our marriage.
6. That I say that the defendant during entire matrimonial life failed to properly maintain me and defendant always pressurized me to earn money for myself and also maintain myself.

7. That I say that I hardly resided few months with the defendant and after that he kicked out me only wearing her three clothes and since then I am residing at my parent's house at above mentioned address and defendant failed to send single penny for maintenance.
8. That I say that neither the defendant ever did not provide any love or affection nor the defendant performed his legal & moral matrimonial obligations towards me as prescribed under Islam. Further that I had tried her level best to incline the defendant for desisting from his immoral demands, ill attitude, unlawful conduct, illegal financial demands and un-human behaviour and to realize him the matrimonial responsibilities laid upon him by Almighty Allah, but due to obstinacy of the defendant all sincere my efforts remain result less. It will not be out of place to disclose here that some common well wishers of both the parties have also tried to incline the defendant for keeping me as his wedded wife by providing my rights and to behave with me like a human but the defendant did not pay any heed towards those sincere advices.
9. That I say that I have developed serious hate in my heart against the defendant and now under the circumstances, she will preferred to die instead of rejoining the defendant as his wife, hence this suit for dissolution of marriage by way of khula.
10. That I say that all the modes of services in respect of the instant suit has been adopted and the proceedings of the instant case has come in the

knowledge of defendant but he deliberately is avoiding to appear before this Hon'ble Court. My suit may be decreed as prayed by me in the prayer clause of the plaint.

Karachi:
Dated: 06.09.2023

D E P O N E N T.

IN THE COURT OF XIXTH FAMILY JUDGE SOUTH AT KARACHI

F.S. No. /2024

Muhammad Sajid
S/o Muhammad Hussain,
Muslim, Adult, Resident of
House No. 28, Street No.25,
B-Area, Qayomabad
Karachi. -----

PLAINTIFF

VERSUS

Mst. Asma Bibi
D/o Sabir Hussain,
Muslim, Adult, Resident of
House No.27, Street No.08,
"A" Area Qayomabad Karachi. -----

DEFENDANT

SUIT FOR RESTITUTION OF CONJUGAL RIGHTS.

The above-named Plaintiff most respectfully begs to submit as under:-

1. That the Plaintiff is law abiding citizen of Islamic Republic of Pakistan and belongs to the respectable family.

2. That on 05.01.2018 marriage took place between Plaintiff and Defendant at Karachi against dower consideration of Rs.2,000/- (Two Thousand Only) according to Muslim Family Law.

(Photocopy of the Nikkahnama is attached herewith and marked as annexure "A").

3. That the rukhsati of defendant took place and the marriage was duly consummated. So out of the said wedlock no issue was born from this wedlock.
4. That the Plaintiff with a view to maintain and sustain the defendant, always provided them maintenance as per his income.
5. That the plaintiff always bestowed trust upon the defendant and give her love and respect to the core of his heart and tried his level best to maintain harmonious relationing between the spouse.
6. That it is further submitted that 3.5 years ago the defendant with some pretext left the house of plaintiff as such the malafide then she left the house of plaintiff and without any cogent reason, she started to live with her parents without any cause and failed to perform the conjugal rights incurred towards the plaintiff, the plaintiff tried to

reconcile the matter with defendant but due to bad wishers of her mother she was instigated not to reconcile her matter with the plaintiff.

7. That the defendant filed the Family Suit No. 1430/2023 before this Hon'ble Court for maintenance but she failed to perform the conjugal right of plaintiff.
8. That the cause of action arose against the defendant, firstly when marriage was contracted, secondly no issue was born, thirdly defendant left the house of plaintiff with some pretext left the house of plaintiff and without any cogent reason started to live with her parents without any cause and failed to perform the conjugal rights incurred towards the plaintiff, forthly the defendant side never tried to reconcile the matter, when the plaintiff called the defendant and asked to come back to his house however, the defendant flatly refused to come and changed her behavior towards the plaintiff and the dispute between the parties arose by the defendant. Hence plaintiff still ready to reconcile the dispute between them, such as plaintiff is still willing to spend his matrimonial life with the defendant.

9. That the Honourable Court has jurisdiction to try and entertain this suit.
10. That the prescribed court fee is paid and/or affixed.

PRAYER

The Plaintiff, therefore, prays for judgment and decree as under:-

- a. To order the Defendant to join the Plaintiff forthwith and to perform her marital obligations within the limits prescribed by ALLAH Almighty.
- b. Any other relief or reliefs as this Honourable Court may deem fit and proper in the circumstances of the suit.
- c. Grant the costs of this suit.

Karachi:

PLAINTIFF

Dated: 14-02-2024

Advocate for the Plaintiff

VERIFICATION

I, Muhammad Sajid S/o Muhammad Hussain, Muslim, Adult, R/o Karachi, the plaintiff in the above matter do hereby solemnly affirmed and verify on Oath that the contents of all the above paras including prayer clauses are true and correct to the best of my knowledge and belief.

Karachi:
Dated: 14-02-2024

DEPONENT

Identified by me.

ADVOCATE

Sworn before me on Oath at Karachi by the deponent above named who is identified to me by **Ms. KULSOOM KHAN JADOON ADVOCATE**, who is known to me personally.

COMMISSIONER FOR TAKING AFFIDAVITS

DOCUMENT FILED	As per annexures.
DOCUMENTS RELIED UPON	Copy of Original of the Annexures, and all other relevant documents.
ADDRESS OF THE PARTIES	As in Title.
ADDRESS FOR SERVICE OF PLAINTIFF'S COUNSEL.	As in Vakalatnama.

IN THE COURT OF XIXTH FAMILY JUDGE SOUTH AT KARACHI

F.S. No. /2024

Muhammad Sajid -----PLAINTIFF

VERSUS

Mst. Asma Bibi -----DEFENDANT

LIST OF WITNESSES.

1. Plaintiff. He will corroborate the version
Of his contents

2.

3. -----do-----

They will corroborate and support the version of the plaintiff.

PLAINTIFF

Karachi:

Dated: 14-02-2024

Advocate for the Plaintiff.

IN THE COURT OF XIXTH FAMILY JUDGE SOUTH AT KARACHI

F.S. No. /2024

Muhammad Sajid ----- PLAINTIFF

VERSUS

Mst. Asma Bibi ----- DEFENDANT

AFFIDAVIT

I, Muhammad Sajid S/o Muhammad Hussain, Muslim, Adult, Resident of Karachi, do hereby state on oath as under : -

1. That I am the Plaintiff in the above matter, as such am fully conversant with the facts of the case.

2. That the accompanying Suit for Conjugal Rights has been drafted and filed under my specific instructions, as such the same may be treated as part and parcel of this affidavit for the sake of brevity.
3. That whatever has been stated above is true and correct to the best of my knowledge and belief.

Karachi.

Dated: 14.02.2024

D E P O N E N T.

**IN THE COURT OF _____ FAMILY JUDGE,
KARACHI (CENTRAL)**

Family Suit No. /2023

Mst. MAHAM JAWED
D/o Muhammad Jawed Siddiqui,
Muslim, Adult, Resident of
Flat No. 303, Tri Star Blessings,
Sector. 11-A, North Karachi,
Karachi. Plaintiff

Versus

Muhammad Shahzaib Khan
S/o Abdul Ghani Khan,
Muslim, Adult, Resident of
House No.R-339, Sector. 7-D3,
North Karachi, Karachi.
CNIC No.42101-5163735-1
Phone No.0316-2827600 Defendant

**SUIT FOR DISSOLUTION OF MARRIAGE BY WAY
OF KHULLA.**

It is respectfully submitted on behalf of the Plaintiff above named as under: -

1) That the Plaintiff was married with the Defendant on 12-07-2022, according to Muslim Law, against half deferred and half prompt fo dower amount of 100,000/- (one hundred thousand only), which is still unpaid and Nikkahnama is under the custody of defendant.

(Some photocopy of Nikkahnama is annexed herewith and marked as Annexure "P").

2) That rukhsati did not take place.

3) That the Defendant never provided love and affection to the Plaintiff nor provided any type of maintenance to her but the Plaintiff always discharged her liabilities as a faithful and obedient wife.

4) That in the month of October,2023 the defendant called to the father of plaintiff and demanded loan for making call centre, plaintiff thought about that in the month of November Rukhsati will be done then how he can give loan to his Damad before one month of Rukhsati, thereafter the father of plaintiff gave 200,000/- loan to the defendant.

- 5) That the plaintiff confirmed loan from defendant but he denied that he did not collect/receive any amount from her father, thereafter trust of plaintiff had been loosed against the defendant.
- 6) That the defendant changed his behavior and made lame excuses to refund the borrowed amount to the plaintiff father.
- 7) That the plaintiff aware about the conduct of defendant that the defendant is immature, not reliable and un-trusted person and doing fraud with the plaintiff. It is pertinent to mentioned herein that the plaintiff aware the (Tareeqa-e-Wardaat) of defendant.
- 8) That the defendant is a fraud person and separate proceeding will be conducted against him.
- 9) That neither the defendant ever did not provide any love or affection nor the defendant performed his legal & moral matrimonial obligations towards me as prescribed under Islam. Further that the plaintiff had tried her level best to incline the defendant for desisting from his immoral demands, ill attitude, unlawful conduct, illegal financial demands and un-human behaviour and to realize him the matrimonial responsibilities laid upon him by Almighty Allah, but due to obstinacy of the defendant my all sincere efforts remain result less. It will not be out of place to disclose here that some common well wishers of both the parties have also tried to incline the defendant for keeping me as his

wedded wife by provide me the rights and to behave with me like a human but the defendant did not pay any heed towards those sincere advices.

10) That she has developed serious hate in her heart against the defendant and now under the circumstances, she will preferred to die instead of rejoining the defendant as his wife, hence this suit for dissolution of marriage by way of khula.

11) That she is ready to forgo my dower amount in lieu of Khula granted by this Hon'ble Court.

12) That the cause of action arisen firstly when the marriage was solemnized, secondly when the defendant demanded loan from the father of plaintiff, thirdly when the plaintiff father gave loan to the defendant, fourthly when he denied to give back the money, fifthly the misunderstanding and developed hatred in the heart of plaintiff and the cause of action is still continued till filing of this matter before this Honourable Court.

13) That the cause of action arisen within the local limits of _____ Police Station, Karachi, which is within the territorial jurisdiction of this Honourable Court.

14) That the prescribed court fee has been affixed according to law.

P R A Y E R

It is, therefore, prayed that this Honourable Court be pleased to pass Judgment & Decree in favour of the Plaintiff and against the Defendant as under : -

- 1) To dissolve the marriage between the plaintiff and the defendant by way of Khulla in lieu of entire dower.
- 2) Any other relief or relieves, which this Honourable Court deem fit and proper in the circumstances of the suit.
- 3) Cost of the suit may also be awarded.

Karachi:

Dated: 23-11-2023

PLAINTIFF

V E R I F I C A T I O N

I, Mst. Maham Jawed D/o Muhammad Jawed Siddiqui, the Plaintiff above named, do hereby verify on oath that whatever has been stated in the foregoing paras are true and correct to the best of my knowledge and belief.

D E P O N E N T.

The deponent above named is identified by me to the commissioner for taking affidavits.

A D V O C A T E.

Declared on oath before me by the deponent above named, on this 23RD day of Nov, 2023 at Karachi, who is identified by **Ms. Kulsoom Khan Jadoon**, Advocate, who is known to me personally.

COMMISSIONER FOR TAKING AFFIDAVITS

**IN THE COURT OF _____ FAMILY JUDGE,
KARACHI (CENTRAL)**

Family Suit No. /2023

Mst. MAHAM JAWED Plaintiff

Versus

Muhammad Shahzaib Khan Defendant

A F F I D A V I T

I, **Mst. MAHAM JAWED** D/o Muhammad Jawed Siddiqui, Muslim, Adult, Resident of Flat No. 303, Tri Star Blessings, Sector. 11-A, North Karachi, Karachi, do hereby state on oath as under : -

1. That I am plaintiff in the above titled suit and deponent of this affidavit as such am fully conversant with the facts of the matter deposed to below.

2. That the accompanying suit for dissolution of marriage by way of Khulla has been drafted and filed under my specific instructions & on my behalf and the contents whereof are true and correct and the same may please be treated as part of this affidavit for the sake of brevity.

3. That whatever stated above is true and correct to the best of my knowledge and belief.

Karachi:

Dated: 23-11-2023

D E P O N E N T.

**IN THE COURT OF _____ FAMILY JUDGE,
KARACHI (CENTRAL)**

Family Suit No. /2023

Mst. MAHAM JAWED Plaintiff

Versus

Muhammad Shahzaib Khan Defendant

LIST OF WITNESSES

01. Mst. Maham Jawed

Plaintiff.

02.

03.

Karachi.

Dated:23-11-2023

ADVOCATE FOR THE PLAINTIFF.

**IN THE COURT OF SUMMON
FAMILY JUDGE,
KARACHI (CENTRAL)**

Family Suit No. /2023

Mst. MAHAM JAWED

D/o Muhammad Jawed Siddiqui Plaintiff

Versus

Muhammad Shahzaib Khan

S/o Abdul Ghani Khan,
Muslim, Adult, Resident of
House No.R-339, Sector. 7-D3,
North Karachi, Karachi.
CNIC No.42101-5163735-1
Phone No.0316-2827600

Defendant

To,

The Above Name Defendant.

Whereas the above named Plaintiff has filed a suit against you for

Dissolution of Marriage By Way Of Khula.

You are hereby summoned to appear in this Court in person, or by a pleader duly instructed, and able to answer all material questions relating to the suit or who shall be accompanied by some person able to answer all such questions, on the _____ at _____ in the morning to answer the claim; and you are directed to produce on that day all the documents upon which you indented to rely in support of your defence, and to file your written statement on the said date.

Take notice that, in default of your appearance on the day before mentioned, the suit will be heard and determined in your absence.

Also take notice that in default of your filing and address for service on or before the date mentioned you are liable to have your defence struck out.

Give under my hand and seal of the Court,

This _____

BY ORDER

IN THE COURT OF XVIIth FAMILY JUDGE AT KARACHI (SOUTH)

F.S. No. / 2023

Mst Ayesha Bibi D/o Zulfiqar Ali
Muslim, Adult, R/o House No. 1795,
Street No. 02, 1st floor, Muslim town
near Dada bhoe town, Shaheed-e-Millat
Road Karachi.....Plaintiff

VERSUS

Muhammad Naveed S/o Muhammad Shahid
Muslim, Adult, R/o House No.
Street No. 01, Muslim Town near Dada Bhoe
Town Shaheed-e-Millat Road, Karachi,
Cell No. 0323-8170722Defendant

SUIT FOR DISSOLUTION OF MARRIAGE
BY WAY OF KHULA

The plaintiff abovenamed most respectfully begs to submit as under:-

1. That the plaintiff was married with the defendant on 16-11-2019, according to the Muslim Family Law, against the dower amount of Rs.6,000/-, being differed at the time of *Nikahnama*. It is pertinent to mention that marriage took place at Village and thereafter both the spouses shifted to Karachi.

(Photocopy of Nikahnama and Electricity Bill are enclosed herewith and marked as annexure 'A' and 'B').

2. That after Nikah, Rukhsati took place and marriage was duly consummated between the spouses and the plaintiff joined the defendant as his legally wedded wife , while from the said wedlock no issue was procreated.

3. That after some time of marriage, defendant changed his behaviour and showed his true colors of his eyes and started rude behaviour with the plaintiff and made her life miserable day by day.
4. That the defendant always used to torture, abuse & maltreat the plaintiff but the plaintiff having no alternate shelter endured all that just under the hope that by the passage of time the defendant will realize his responsibilities and resultantly in future a happy & normal matrimonial life will start for the plaintiff but all such hopes of the plaintiff went in vain due to continuous habitual misconduct, maltreatment, ill attitude, immoral and financial demands and illegal activities of the defendant. It is further submitted that he never loved and cared about the plaintiff and also failed to take interest in the plaintiff , which showed that he is not happy with the said marriage. It is further submitted that the defendant is also avoiding to keep the plaintiff with him and also failed to pay maintenance to the plaintiff since their marriage.
5. That the defendant during entire matrimonial life failed to properly maintain the plaintiff and defendant always pressurize the plaintiff to earn money for herself and also maintain herself.
6. That the plaintiff hardly resides few months with the defendant and after that he kicked out the plaintiff only wearing her three clothes and since then she is residing at her parent's house at above mentioned address and defendant failed to send single penny in lieu of maintenance.

7. That neither the defendant ever did not provide plaintiff any love or affection nor the defendant performed his legal & moral matrimonial obligations towards the plaintiff as prescribed under Islam. Further that the plaintiff had tried her level best to incline the defendant for desisting from his immoral demands, ill attitude, unlawful conduct, illegal financial demands and un-human behaviour and to realize him the matrimonial responsibilities laid upon him by Almighty Allah, but due to obstinacy of the defendant all sincere efforts of the plaintiff remain result less. It will not be out of place to disclose here that some common well wishers of both the parties have also tried to incline the defendant for keeping the plaintiff as his wedded wife by providing her the rights and to behave with her like a human but the defendant did not pay any heed towards those sincere advices.
8. That the plaintiff has developed serious hate in her heart against the defendant and now under the circumstances, she will preferred to die instead of rejoining the defendant as his wife, hence this suit for dissolution of marriage by way of khula.
9. That plaintiff is ready to forgo her dower amount in lieu of Khula granted by this Hon'ble Court.
10. That the cause of action has arisen to the plaintiff against the defendant for filing the instant suit against the defendant firstly when she was married with the defendant and thereafter defendant failed to maintain her and always used to beat, maltreat, abuse and torture the plaintiff and finally when the defendant after beaten kicked out the plaintiff

only wearing her three clothes and the same cause of action is still continued day to day till the instant suit of the plaintiff is decreed as prayed.

11. That the plaintiff is residing at the above mentioned address, within the territorial limits of P.S. Mehmoodabad Karachi, which is within the jurisdiction of this Hon'ble Court.

12. That the proper Court fee as prescribed under the law has been affixed on the plaint.

PRAYER

It is, therefore, respectfully prayed that this Hon'ble Court may graciously be pleased to pass a Judgement and Decree in favour of the plaintiff and against the defendant as follows.

- a). To dissolve the plaintiff's marriage with the defendant by way of Khula, as the plaintiff is ready to forgo her dower amount in lieu of Khula.
- b). To grant cost of the Suit or any other relief(s) which this Hon'ble Court under the facts and circumstances of the matter may deem fit and proper.

Plaintiff

Dated:18-08-2023 Advocate for the Plaintiff

VERIFICATION

I, Mst Ayesha Bibi D/o Zulfiqar Ali, Muslim, Adult, R/o Karachi, the plaintiff in the above matter do hereby solemnly affirmed and verify on Oath that the contents of all the

above paras including prayer clauses are true and correct to the best of my knowledge and belief.

Karachi:

Dated: 18-08-2023

DEPONENT

DOCUMENT FILED
DOCUMENTS RELIED UPON

As per annexures.
Original of the Annexures, and all other relevant documents.

ADDRESS OF THE PARTIES

As in Title.

ADDRESS FOR SERVICE OF
PLAINTIFF'S COUNSEL.

As in Vakalatnama.

IN THE COURT OF XVIIth FAMILY JUDGE AT KARACHI (SOUTH)

F.S. No. / 2023

Mst Ayesha Bibi.....Plaintiff

VERSUS

Muhammad NaveedDefendant

LIST OF WITNESSES

- | | |
|---------------|--|
| 1. Plaintiff. | She will corroborate the Version of the Plaintiff. |
| 2. | Support the Version of Plaintiff. |
| 3. | -----do----- |

Karachi:

Dated: 18-08-2023

Advocate for the Plaintiff

IN THE COURT OF FAMILY JUDGE EAST AT KARACHI

Guardians and wards Application
No. /2021

- 1) Mst. Fouzia D/o Muhammad Iqbal,
Muslim, Adult, R/O Present 19,
Tower 10, Apartment 20, Super Highway
Behria Town, Karachi.
- 2) Ayesha (Now aged 15 years)
D/o Muhammad Yousuf
- 3) Muhammad Hassan Raza
(Now aged 14 years)
S/o Muhammad Yousuf
- 4) Ansa Fatima
(Now aged 10 years)
D/o Muhammad Yousuf

All Muslims,minors, through their
Mother/Applicant No.1
Mst.Fouzia Yousuf -----Applicant

VERSU

- 1) Muhammad Yousuf S/o
Abdul Hameeed, Muslim, adult,
resident of House No. 17, Police Line
Thana, Gulbahar,Karachi central
Mst.Fouzia Yousuf

2) Public at Large -----Respondent

**APPLICATION UNDER SECTION 8 AND 10 OF
GUARDIANS & WARDS ACT 1890 FOR
APPOINTMENT OF GUARDIAN OF THE PERSON
OF WARDS.**

The applicant above-named respectfully submits as under:-

- 1) That the applicant was married with the Respondent on 19-05-2002 at Karachi according to Muslim Family Law Ordinance against dower of Rs.5000/- which is still unpaid.

(The Photocopy of Nikahnama is annexed herewith and marked as Annexure "A").

[2]

- 2) That the applicant No.1 after marriage started her matrimonial life with the respondent No.1 being his legally wedded wife. The said marriage was duly consummated and from the said wedlock three wards/minors born namely (1) AYESHA, daughter, born on 16-12-2006 (2) MUHAMMAD HASSAN RAZA , son. born on 23-10-2007 and (3) ANSA FATIMA , daughter , born on 23-11-2011, who are presently under the custody of applicant No.1

(The Photocopy of Birth Certificates of applicant No. 2, 3 and 4 are annexed herewith and marked as Annexure "A/1 to A/3").

- 3) That with the passage of time the attitude and behavior of the respondent No.1 gradually become more aggressive and he used to maltreat, abuse, beat and threatens the applicant No.1 for dire consequences.
- 4) That on 02.11.2018 the respondent No.1 sent the said Talaq Nama / Divorce through courier and same was received on dated: 05.11.2018 by applicant No.1 , hence from dated: 05.11.2018 the applicant No.1 is no more wife of respondent No.1
- (The Photocopies OF Talaq Nama & confirmation receipt are annexed herewith and marked as Annexure "A/4").**
- 5) That it has also come in the knowledge of the applicant No.1 that the defendant has also contracted another marriage and also having a son and also intends to do another marriage.
- 6) That due to hateful union and inimical relationship of the applicant and respondent No.1 it had become impossible for the applicant to continue the above matrimonial life with the respondent No.1 and she had to file Family Suit bearing No 2189/2018 against the respondent No.1 before the concerned Family Court for maintenance.

(The Photocopy of Plaintiff bearing No 2189/2018 which is self explanatory is annexed herewith and marked as Annexure "A/5").

7) That the respondent No.1 filed his written statement to plaint of the applicant and put up his defense / pleas in his written statement thereto.

(The Photocopy of Written Statement of Respondent No.1 is annexed herewith and marked as Annexure "A/6").

8) That the respondent No.1 also filed separate case U/S 25 Guardians and Wards Act 1890 bearing No 780/2019 for the custody of the wards , and the applicant also filed her written statement in the said case and put up her reassertion / stance / pleas already taken in her Family Suit No 2189/2018.

(The Photocopies of Plaintiff bearing No. 780/2019 and Written Statement of the applicant No.1 which self explanatory are here with and marked as Annexure "A/7 and A/8").

9) That the applicant No.1 and respondent No.1 succeeded to settle out of the court their issues / disputes , involved in both the Family Cases as mentioned / referred above and they filed compromise application and the Learned Judge of the concerned Court recorded the statement of the applicant No.1 respondent No.1

(The Photocopies of compromise application & depositions of the applicant No.1 and respondent No.1 are annexed herewith and marked as Annexure "A/9 to A/11").

10) That in consequence to the compromise concluded between the applicant and respondent No.1 the Learned Judge of the above referred Family Court

subsequently passed disposal order while accepting the said compromise and also passed the compromise decree in view of the facts and circumstances of the case.

(The Photocopies of order dated: 25-07-2019 & decree dated: 27-07-2019 annexed herewith and marked as Annexure "A/12 & A/13").

[4]

- 11) That the respondent No.1 with malafidely intention tried to avoid the compliance of the lawful order and decree of the court and hardly complied with the order / decree pertaining to payment of maintenance of the wards and in-compelling circumstance the applicant has to file bearing execution application No 23/2021 before the Learned Executing Family Court and the summons / notices have been issued against the respondent No.1 in the said proceeding So, execution proceedings are pending thereof.

(The Photocopies of execution application & notice are annexed herewith and marked as Annexure "A/14 & A/15").

- 12) That in view of the above facts and circumstances , it is necessary for the best interest , welfare and future of the wards, that Guardianship CERTIFICATE may be issued to the applicant No.1 as same is one of the requirements for the immigration of the minor , as such the applicant No.1 with a view to get tour of the wards wants to take the wards to U.A.E for the purpose of performing "Umrah" in this regard, Immigration office required the Guardianship Certificate from the

competent Court of law. Hence this application U/S 7 of the Guardians and Wards Act.

- 13) That the applicant No.1, being real mother of the wards is desiring to be appointed as Guardian of the ward and to get Guardianship Certificate to send the applicant / ward No. 3 above named **Muhammad Hassan Raza** abroad for his higher education and better future.
- 14) That the applicant No.1 and Wards are residing within the jurisdiction of the Police Station , hence this Hon'ble Court has jurisdiction over the present matter and entertain this application.
- 15) That the proper Court fee stamps have been affixed on the petition.

[5]

PRAYER

The in view of the aforesaid facts, circumstances and reason, it is therefore, prayed by the applicants as under:-

- 1) To pass an order and appoint Applicant No.1 as "GUARDIAN" of wards/minors namely (1) AYESHA, daughter, born on 16-12-2006 (2) MUHAMMAD HASSAN RAZA , son. born on 23-10-2007 and (3) ANSA FATIMA , daughter , born on 23-11-2011, in

the interest and welfare of minor and further be pleased to issue "GUARDIANSHIP CERTIFICATE" in favour of Applicant No.1 .

- 2) To allow the Applicant No.1 to take / accompanying the wards, U.A.E. for performing "Umrah".
- 3) Any other relief which this Hon'ble Court may be deem fit and proper in the circumstances of Guardian and Wards application/case.

APPLICANT

Karachi.

Dated:_____

ADVOCATE FOR THE APPLICANT

VERIFICATION

I, Mst. Fouzia D/o ,Muslim,adult, resident of Karachi , the Applicant , do hereby verify and state of oath that the averments as stated in this application are true and correct to the best of my knowledge and belief.

Karachi.

Dated:_____

ADVOCATE FOR THE APPLICANT

The deponent above named is indentified by me.

ADVOCATE

Sworn to on Oath and signed before me on this
____ day of August 2021, by the deponent above named,
who is identified to me by **Mr. Ghulam Muhammad Khan**
Jadoon, Advocate , who is personally known to me.

Commissioner for taking affidavits.

Documents filed : Annex: "P/1 to P/15.

Documents relied upon : As above and other doc, if any
,necessary for just decision

Address of the parties : As per title of the application

Address for service of applicant : **GHULAM MUHAMMAD KHAN JADOON,**

Advocate High Court
Room # 12-B, 4th Floor,
Namco Centre,Campbell
Street, New Challi, Karachi.
Phone : 0332-3047144
CNIC # 42201-9884490-9

[1]

**IN THE COURT OF FAMILY JUDGE EAST AT
KARACHI**

Guardians and wards Application
No. /2021

- 1) Mst. Fouzia D/o Muhammad Iqbal,
- 2) Ayesha
- 3) Muhammad Hassan Raza
- 4) Ansa Fatima -----Applicants

VERSU

- 1) Muhammad Yousuf
- 2) Public at Large -----Respondent

SUPPORTING AFFIDAVIT

I, Mst. Fouzia Iqbal D/o Muhammad Iqbal, Muslim, adult, resident of House No. Present 19,Tower 10, Apartment 20, Super Highway , Behria Town, Karachi, do hereby state on oath as under :-

- 1) That I am the applicant in the above matter as well as deponent of this affidavit and as such I am fully conversant with the facts of the case.
- 2) That I say that the accompanying Application U/S 8 and 10 Guardians & Wards Act,1890 for appointment of Guardian of the wards / minors, have been drafted under my specific instructions for the sake of brevity the contents whereof may be treated as integral part of this affidavit.
- 3) That I say that I am real mother of the wards got tallaq from the respondent No.1 he also got remarried and the wards are under my care and custody and the welfare of the ward lying with me.
- 4) That I say that I am in better financial , sound and atmospherical condition for bringing up ,schooling and other welfare of the wards / minors.

[2]

- 5) That whatsoever is stated in above noted paras is true and correct to the best of my knowledge and belief.

Karachi.
Dated:_____

DEPONENT

The deponent above named is indentified by me.

ADVOCATE

Sworn to on Oath and signed before me on this
_____ day of August 2021, by the deponent above named,
who is identified to me by **Mr. Ghulam Muhammad Khan**
Jadoon, Advocate , who is personally known to me.

COMMISSIONER FOR TAKING AFFIDAVITS.

[1]

IN THE COURT OF FAMILY JUDGE EAST AT KARACHI

Guardians and wards Application
No. /2021

- 1) Mst. Fouzia D/o Muhammad Iqbal,
2) Ayesha
3) Muhammad Hassan Raza
4) Ansa Fatima -----Applicants

VERSU

- 1) Muhammad Yousuf
2) Public at Large -----Respondent

SUPPORTING AFFIDAVIT

I, Mst. Faryal D/o Muhammad Iqbal, Muslim, adult, holding CNIC No. 42201-1931045-2 , resident of Karachi, do hereby state on oath as under :-

- 1) That I am the **sister of the applicant / real mother and maternal aunt in relation of wards** as well as

deponent of this affidavit and as such I am fully conversant with the facts of the case.

- 2) That I say that I have gone through the contents of the application U/S 8 and 10 Guardians & Wards Act,1890 for appointment of Guardian of the wards / minors, filed by the applicant , who real mother and natural guardian of the wards.
- 3) That I say that since the mother of the wards got talaq from the respondent No.1 he also got remarried and the wards are under mother care and custody and the welfare of the ward lying with applicant /mother.
- 4) That I say that mother of the minors in better financial , sound and atmospherical condition for bringing up ,schooling and other welfare of the wards / minors.

[2]

- 5) That I say that to the best of my knowledge and belief that the applicant has provided love and affection to the ward and left no stone unturned in their proper grooming, nourishing and bringing up and now the wards are living with applicant.
- 6) That whatsoever is stated in above noted paras is true and correct to the best of my knowledge and belief.

Karachi.
Dated:_____

DEPONENT

The deponent above named is indentified by me.

ADVOCATE

Sworn to on Oath and signed before me on this
____ day of August 2021, by the deponent above named,
who is identified to me by **Mr. Ghulam Muhammad Khan**
Jadoon, Advocate , who is personally known to me.

COMMISSIONER FOR TAKING AFFIDAVITS.

IN THE COURT OF FAMILY JUDGE EAST AT KARACHI

Guardians and wards Application
No. /2021

- 1) Mst. Fouzia D/o Muhammad Iqbal,
- 2) Ayesha
- 3) Muhammad Hassan Raza
- 4) Ansa Fatima -----Applicants

VERSU

- 1) Muhammad Yousuf
- 2) Public at Large -----Respondent

SUPPORTING AFFIDAVIT

I, Mst. Sarwari Begum, W/o Muhammad Iqbal, Muslim, adult, holding CNIC No. 42201-5294460-4 , resident of Karachi, do hereby state on oath as under :-

- 1) That I am the **mother of the applicant / real mother and maternal grandmother in relation of wards** as well as deponent of this affidavit and as such I am fully conversant with the facts of the case.
- 2) That I say that I have gone through the contents of the application U/S 8 and 10 Guardians & Wards Act,1890 for appointment of Guardian of the wards / minors, filed by the applicant , who real mother and natural guardian of the wards.
- 3) That I say that since the mother of the wards got talaq from the respondent No.1 he also got remarried and the

wards are under mother care and custody and the welfare of the ward lying with applicant /mother.

- 4) That I say that mother of the minors in better financial , sound and atmospherical condition for bringing up ,schooling and other welfare of the wards / minors.

[2]

- 5) That I say that to the best of my knowledge and belief that the applicant has provided love and affection to the ward and left no stone unturned in their proper grooming, nourishing and bringing up and now the wards are living with applicant.
- 6) That whatsoever is stated in above noted paras is true and correct to the best of my knowledge and belief.

Karachi.
Dated:_____

DEPONENT

The deponent above named is indentified by me.

ADVOCATE

Sworn to on Oath and signed before me on this _____ day of August 2021, by the deponent above named, who is identified to me by **Mr. Ghulam Muhammad Khan Jadoon**, Advocate , who is personally known to me.

COMMISSIONER FOR TAKING AFFIDAVITS.

**IN THE COURT OF _____ FAMILY JUDGE AT KARACHI
(SOUTH)**

F.S No. _____/2024

1. Mst. Ayesha

D/O Qadir Bux
Adult, Muslim, Resident of P#A-48,
KE3374/A-48, Street No. 14, Gulshan-e-
Sikandarabad, Block-4, Keamari, Karachi.

2. Aiman (Minor)

D/o Aamir Hussain
Age about 5 years, female

3. Anabya (Minor)

D/o Aamir Hussain
Age about 5 years, female

Through Plaintiff No.1 Plaintiffs

Versus

Aamir Hussain

S/o Allah Dan'na,
Adult Muslim, Resident of
Old Clifton, Shaha Rasool
Colony Number 3, Karachi..... Defendant

**SUIT FOR DESSOLUTION OF MARRIAGE BY WAY OF KHULLA AND
MAINTAINANCE**

Respectfully Sheweth,

The Plaintiff No. 1 to 3 respectfully submits as under : -

1. That the Plaintiff No.1 was married with the defendant on 12.06.2015, against the dower amount of Rs. _____ /-, which is still not paid.
2. That the defendant is the husband of the Plaintiff No.1 and presently resides at the aforementioned address. The *nikkah* between the defendant and the Plaintiff No.1 was solemnized on 12.06.2015, same day the *rukhsati* took place, subsequently the plaintiff No.1 started to live with the defendant at his house, Out of the marriage contracted between the Plaintiff No.1 and the defendant, two (2) children/plaintiff No.2 & 3 were born, namely Aiman, age about 6 years and Anabya age about 5 years, who are presently under the lawful custody of the plaintiff No.1, It is further submitted that the nikahnama is under the custody of defendant, besides the CNIC of the plaintiff No.1 was not prepared, due to adverse situation and circumstances created by the defendant (Separate affidavit in this regard is annexed with the instant suit).
3. That after passage of time of Rukhsati of the plaintiff No.1 some crucial dispute arose pertaining to the maintenance, well being, protection and safe future of the plaintiff as such the defendant having aggressive tendencies towards the plaintiff No.1 and the defendant remained involved in immoral and objectionable activities for the plaintiff No.1 side resisted and raised serious objections which caused aggravation of the relationship between the parties.

4. That the family of the plaintiff No.1 out of apprehension and in-secured feeling on the part of the defendant side, the plaintiff No.1 family referred the matter to the concerned elders to resolve the issues/disputes and in this regard the defendant, executed written Iqraranama/agreement, assuring therein to resolve all possible/probable future apprehensions and insecurities and in the contents of the Iqrarnama, the defendant pledged/agreed to pay of Rs.500,000/- as compensation amount to the plaintiff No.1 in case he repeats his past conducts.

(Photocopy of written Iqrarnama/agreement is attached herewith and marked as annexure ‘A’)

5. That on 1st day of October,2022 the plaintiff No.1 filed the family suit No.2105/2022 filed for Dissolution of Marriage by way of Khulla, maintenance and recovery of Rs.500,000/- compensation amount before XXIst Family Judge South Karachi, the plaintiff for the sake of her children / plaintiff No.2 & 3, compromised the matter and joined the defendant with the hope that things will be better in future and the defendant will change his behavior and attitude towards the plaintiffs as well as with the children but all in vain.

(Photocopy of the plaint of F.S No.2105/2022 is attached herewith and marked as annexure ‘B’).

6. That thereafter some time the defendant repeated the past conduct illegal acts, domestic violence was increased day by day and the defendant started physically torture to the plaintiff No.1 as well as the children, the defendant on 04.09.2023 severally beaten to the plaintiff No.1 as well as plaintiff No.2 and 3, the mother of plaintiff No.1 reported the matter to P.S: Boat Basin, Karachi, who issued ML letter of Jinnah Hospital, who medically examined the plaintiff No.1 and issued medical

certificate, then the mother of petitioner No.1 lodged the FIR against the defendant, being FIR No.**509/2023**, U/S: **354,504,506,328A and 337A(i) PPC**, P.S: **Boat Basin**, later on the defendant obtained bail before arrest from the concerned court of law.

(Photocopy of the MLO Letter dated: 04.09.2023, Jinnah Hospital injuries history and reports, FIR No.509/2023 are attached herewith and marked as annexure "C, C/1 to C/____").

7. That the Plaintiff No.1 suffered from domestic violence at the hands of the defendant since her marriage then the plaintiffs filed the domestic violence petition against the defendant before concerned Learned Judicial Magistrate South Karachi in which no fruitful result found due the same attitude of defendant, as such the defendant is not inclined to compliance the orders of the above referred Judicial Magistrate Karachi South, is not serious to continue the relationship with the plaintiffs which increased the hardship of plaintiffs.

(Photocopy of the memo of domestic violence petition is attached herewith and marked as annexure "D").

8. That the defendant by profession is shopkeeper and apart from so many properties in shape of habitable house and which have been rented out and gets rents upto rupees about two lacs per month as rent from the said habitable houses and he also earns handsome income as shopkeeper so he is able to pay the maintenance to the plaintiffs.
9. That the defendant has left/abandoned the plaintiffs at the mercy of the circumstances since considerable time, the plaintiff No.1 parents are bearing all expenses of the plaintiffs, facing hardship of bitter life realities.

10. That due to hateful union and inimical relationship of the Plaintiff No.1 and Defendant, It has become impossible for the Plaintiff No.1 to continue the above matrimonial life with the defendant, in the prescribed limits of AL-MIGHTY ALLAH.

11. That the Plaintiff No.1 is entitled for dissolution of marriage by way of khulla, on the ground of maltreatment, cruelty, non-payment of maintenance, hatred against the defendant and irresponsibility on the part of defendant.

12. That the cause of action arisen firstly when the marriage was solemnized, secondly when out of this wedlock two issues were born, thirdly when irresponsibility increased day by day from the defendant side and the Plaintiff became mentally disturbed, fourthly when defendant badly beaten the plaintiff No.1 many times and fifthly defendant failed to maintain either of them finally when plaintiff developed serious hatred in her mind against the Defendant and the cause of action is still continued till filing of this matter before this Honourable Court.

13. That the cause of action arisen within the local limits of _____ Police Station, Karachi South, which falls within the territorial jurisdiction of this Honourable court.

14. That the prescribed court fee has been affixed according to law.

P R A Y E R

It is, therefore, prayed that this Honourable Court be pleased to pass Judgment and Decree in favour of the Plaintiffs and against the defendant as under :-

1. To dissolve the marriage between the Plaintiff No. 1 and the Defendant by way of Khula in lieu of dower amount.
2. To direct the Defendant to pay the maintenance of Rs. 15,000/- Per Month for the Plaintiff No.1 till expiration of Iddat Period and Rs. 15,000/- Per Month each Minor i.e. Plaintiff No. 2 to 3 till maturity with the increment of 15% per annum.
3. Any other relief or relieves, which this Honourable Court deem fit and proper in the circumstances of the suit.
4. Cost of the suit may also be awarded.

Karachi:

Dated:10.02.2024

PLAINTIFF No.1

V E R I F I C A T I O N

I, **Mst. Ayesha** W/o Aamir D/O Qadir Bux, the Plaintiff No.1 above named, do hereby verify on oath that whatever has been stated in the foregoing paras are true and correct to the best of my knowledge and belief.

D E P O N E N T.

The deponent above named is identified by me to the commissioner for taking affidavits.

A D V O C A T E.

Declared on oath before me by the deponent above named, on this 10th day of Feb,2024 at Karachi, who is identified by **Mr. Ghulam Mohammad Khan Jadoon**, Advocate, who is known to me personally.

COMMISSIONER FOR TAKING AFFIDAVITS.

**IN THE COURT OF _____ FAMILY JUDGE AT KARACHI
(SOUTH)**

F.S No. _____/2024

Mst. Ayesha
& others Plaintiffs

Versus

Aamir Hussain Defendant

SUPPORTING AFFIDAVIT

I, Ayesha W/o Aamir, D/o Qadir Bux, Muslim, Adult, Resident of Karachi, do hereby state on oath as under : -

1. That I am plaintiff in the above titled suit and deponent of this affidavit as such am fully conversant with the facts of the matter deposed to below.
2. That the accompanying case has been drafted and filed under my specific instructions & on my behalf and the contents whereof are true and correct and the same may please be treated as part of this affidavit for the sake of brevity.
3. That I say that due to adverse position and circumstances created by the defendant, the CNIC was not prepared beside this the Nikkahnama is not in my possession which the same is lying under the custody of defendant, therefore I pray that this Hon'ble Court may graciously be pleased to exempt me for NIIKAHNAMA and further be pleased to entertain my instant affidavit.

4. That until and unless I am exempted from filing Nikkahnama, I shall be seriously prejudiced.

5. That whatever stated above is true and correct to the best of my knowledge and belief.

Karachi:

Dated: 10-02-2024

D E P O N E N T.

**IN THE COURT OF _____ FAMILY JUDGE AT KARACHI
(SOUTH)**

F.S No. _____/2024

Mst. Ayesha
& others Plaintiffs

Versus

Aamir Hussain Defendant

APPLICATION UNDER SECTION 17-A

OF MUSLIM FAMILY LAW

It is respectfully prayed on behalf of the Plaintiff above named that this Honourable Court may be pleased to pass the order to direct the Defendant to pay the maintenance of Rs. 15,000/- Per Month for each Plaintiff, as an interim relief, till final disposal of the present matter.

Prayed accordingly.

Karachi:

Dated:10.02.2024

ADVOCATE FOR THE PLAINTIFFS.

**IN THE COURT OF _____ FAMILY JUDGE AT KARACHI
(SOUTH)**

F.S No. _____/2024

Mst. Ayesha
& others Plaintiffs

Versus

Aamir Hussain Defendant

AFFIDAVIT

I, Ayesha W/o Aamir, D/o Qadir Bux, Muslim, Adult, Resident of Karachi, do hereby state on oath as under : -

1. That I am the Plaintiff No.1 in the above matter, as such am fully conversant with the facts of the case.
2. That the accompanying APPLICATION U/S 17-A MUSLIM FAMILY LAW has been drafted and filed under my specific instructions, as such the same may be treated as part and parcel of this affidavit for the sake of brevity.
3. That whatever has been stated above is true and correct to the best of my knowledge and belief.

Karachi:

Dated: 10.02.2024

D E P O N E N

T.

FAMILY SETTLEMENT DEED

This **Family Settlement Deed** is made at Karachi on ____ day of March 2024;

BETWEEN

- 1. MR. MUHAMMAD ZAHID S/O MUHAMMAD RASHID (LATE),** Muslim, Adult, R/o House No. 24, Sector 36-E, Korangi No.06, Karachi, hereinafter referred to as the **FIRST PARTY;**
- 2. MR MUHAMMAD SHAHID S/O MUHAMMAD RASHID (LATE),** Muslim, Adult, R/o House No.25, Sector 36-E, Korangi No.06. Karachi, hereinafter referred to as the **SECOND PARTY;**
- 3. MR MUHAMMAD KHALID S/O MUHAMMAD RASHID (LATE),** Muslim, Adult, R/o House No 25, Sector 36-E, Korangi No.06, Karachi, hereinafter referred to as the **THIRD PARTY;**
- 4. MST. RAHEELA RASHID D/O MUHAMMAD RASHID (LATE),** Muslim, Adult. R/o House No.25, Sector 36-E, Korangi No.06, Karachi, hereinafter referred to as the **FOURTH PARTY;**
- 5. MR SHEHZAD ALAM S/O MUHAMMAD RASHID (LATE),** Muslim, Adult, R/o House No 18, Sector 36-E, Korangi No.06, Karachi, hereinafter referred to as the **FIFTH PARTY;**
- 6. MST FOZIA AAMIR W/O AAMIR KHAN, D/O MUHAMMAD RASHID (LATE),** Muslim, Adult, R/o Flat No. 08, 2nd Floor, Ghordan Bhawan Building, Street Yaqoob Khan Road, near SIUT Civil Hospital, Karachi, hereinafter referred to as the **SIXTH PARTY;**

AND

- 7. MST. NAZIA JAMAL W/O MUJHTABA JAMAL D/O MUHAMMAD RASHID (LATE),** Muslim, Adult, R/o House No.374/4 Muhallah Islam Ganj, Lasbela, Karachi, hereinafter referred to as the **SEVENTHPARTY;**

(Which terms shall mean and include their respective, executors, successors-in-interest, legal representatives, administrators, attorneys, agents, nominees, delegatees and assigns).

1. Whereas the father and mother of the parties above named namely Muhammad Rashid S/o Muhammad Ayoub and Mat Tahira Begum W/o Muhammad Rashid had expired on 17. 07-2018 and 10-04-1975 respectively due to their natural death and the parties above named are the only surviving legal heirs of the said deceased (s).
2. Whereas the above said deceased(s), at the time of their death, have left the following immovable properties: -

 - (a) House No. 15, admeasuring 120 Sq. Yards, constructed as Ground Plus one, situated at Sector 36-E. Korangi Township, Korangi No.06, Karachi, owned by Mst Tahira Begum W/o Muhammad Rashid.
 - (b) House No. 17, admeasuring 120 Sq. Yards, constructed as Ground Plus one, situated at Sector 36-E. Korangi Township, Korangi No.06, Karachi, owned by Mr Muhammad Rashid S/o Muhammad Ayoub.
 - (c) House No. 18, admeasuring 120 Sq. Yards, constructed as Ground Plus one, situated at Sector 36-E. Korangi Township, Korangi No.06, Karachi, owned by Mst Tahira Begum W/o Muhammad Rashid.
 - (d) House No. 25, admeasuring 120 Sq. Yards, constructed as Ground Plus one, situated at Sector 36-E, Korangi Township, Korangi No.06, Karachi, owned by the Mst Tahira Begum W/o Muhammad Rashid.
3. Whereas dispute arose between the parties regarding partition of the above said properties left by the deceased parents of the parties and as such the First Party filed a civil suit being CS No. 140/2024 in the Court of XII-th Senior Civil Judge East at Karachi for amicable decision of the same.
4. Whereas the parties have settled their above-said disputes in the following manners.
5. That the immoveable property i.e. House No. 18, measuring 120 Sq. Yards, constructed as Ground Plus one, situated at Sector 36-E. Korangi Township, Korangi No.06, Karachi, has been privately partitioned into two portions.

6. That it has been decided that one half portion of House No. 18, admeasuring 60 square yards shall be transferred / delivered to Mr Muhammad Shahzad Alam (Fifth Party) and other half portion measuring 60 square yards of the said property shall be transferred / delivered to Mr Muhammad Zahid (First Party) subject to payment of Rs.15,00,000/- to Mst Raheela Rashid (Fourth Party) by him.
7. That the First Party shall clear the above said amount of Rs.15,00,000/- within four years of the execution of settlement deed and after clearance of the said amount, the possession of the shall be delivered by the Fourth Party to the First Party, whereas the file / title documents of the same shall be delivered to the First Party within two months.
8. That the above said property is currently rented out to the tenant and fetching the rent @ Rs.10,000/- per month and the rental amount shall be collected by the fourth Party till March,2025 and the total amount so collected shall be adjusted against the above said amount of Rs.15,00,000/- and the remaining amount shall be paid by the first party at the time of taking over the possession of the said property.
9. That the said following properties are in possession of Parties No. 2,3,4,6 and 7, who are the exclusive owners of the said properties and the party No.1st and Fifth Party, having no concern or share in the below mentioned **a to c** properties: -
 - a) House No. 15, admeasuring 120 Sq. Yards, constructed as Ground Plus one, situated at Sector 36-E. Korangi Township, Korangi No.06, Karachi.
 - b) House No. 17, admeasuring 120 Sq. Yards, constructed as Ground Plus one, situated at Sector 36-E. Korangi Township, Korangi No.06, Karachi.
 - c) House No. 25, admeasuring 120 Sq. Yards, constructed as Ground Plus one, situated at Sector 36-E, Korangi Township, Korangi No.06, Karachi.
10. That the above said immoveable properties are rented out to different tenants and the above said parties are now entitled to recover the rent from the tenants of their respective portions as mentioned above.

11. That no parties shall raise any objections regarding their possession / title / rights of the said parties and further all the parties undertake to extend every cooperation to each other in transferring the said properties in their respective names as mentioned above in the record of rights.
12. Whereas parties intend to execute instant **Family Settlement Deed** in order to avoid any future complications, and to settle the dispute once forever meaning thereby after execution of instant **Family Settlement** the parties shall not knock the door of any court of law, office & authority etc. and shall act upon the terms and conditions contained in instant **Family Settlement**.
13. **That**, the First Party reiterates the strict compliance of terms and stipulations of this Family Settlement without any fail, and in case of any violation by any party, the same will have right to prosecute and sue him/ her before competent court of law.
14. That the contents of this **Family Settlement Deed** have been read over and explained in Urdu to the parties who acknowledge that the instant document has exactly been prepared in accordance with our instructions.
15. That the parties reaffirm and reiterate that they shall obey the above mentioned terms and conditions contained in instant **Family Settlement** and shall not raise any dispute before any forum pertaining to the above partition of said immoveable properties.
16. **IN WITNESS WHEREON**, the parties hereto have set and subscribed their respective hands to this Settlement Deed at Karachi on the day, month and year first above mentioned.

FIRST PARTY
MUHAMMAD ZAHID S/O
MUHAMMAD RASHID (LATE)
CNIC No.

SECOND PARTY
MUHAMMAD SHAHID S/O
MUHAMMAD RASHID (LATE)
CNIC No.

THIRD PARTY
MUHAMMAD KHALID S/O
MUHAMMAD RASHID (LATE)
CNIC No.

FOURTH PARTY
RAHEELA RASHID D/O
MUHAMMAD RASHID (LATE)
CNIC No.

FIFTH PARTY
SHEHZAD ALAM S/O
MUHAMMAD RASHID (LATE)
CNIC No.

SIXTH PARTY
MST FOZIA AAMIR W/O AAMIR KHAN,
D/O MUHAMMAD RASHID (LATE)
CNIC No.

SEVENTH PARTY
MST. NAZIA JAMAL W/O
MUJHTABA JAMAL D/O
MUHAMMAD RASHID (LATE)
CNIC No.

WITNESSES

1. _____

2. _____

CNIC No.

CNIC No.

**IN THE COURT OF _____ FAMILY JUDGE,
KARACHI (MALIR)**

Family Suit No. /2024

Mst. ANSA JABEEN
D/o Bashir Ahmed,
Muslim, Adult, Resident of
Plot No. A-1626, Phase 1,
Gulshan-e-Hadeed,
Karachi. Plaintiff

Versus

Waheed Ahmed
S/o Yar Muhammad,
Muslim, Adult, Resident of
House No.3, Survey No.355,
Sector 8/c, Area Bilal Colony,
Muhammad Ali Goth, Korangi,
Karachi.
Phone No.0315-2735011 Defendant

**SUIT FOR DISSOLUTION OF MARRIAGE BY WAY
OF KHULLA.**

It is respectfully submitted on behalf of the Plaintiff above named as under: -

1) That the Plaintiff was married with the Defendant on 28-02-2022, according to Muslim Law, against deferred dower amount of 100,000/- (One lac only), which is still unpaid.

(Photocopy of Nikkahnama is annexed herewith and marked as Annexure "P").

2) That after marriage, Rukhsati was effected and the Plaintiff started to spend her life with the Defendant.

3) That the marriage was duly consummated and out of this wedlock no issue was born.

4) That the Defendant never provided love and affection to the Plaintiff nor provided any type of maintenance to her but the Plaintiff always discharged her liabilities as a faithful and obedient wife.

5) That from the beginning of the marriage the defendant brought the plaintiff at her parent's house and also started to live at her parents house with the plaintiff, the plaintiff many times asked the defendant to bring her at her sasural/own house then defendant given false hopes to the plaintiff that he will bring her soon and used give one pretext another to the plaintiff, then plaintiff again asked to bring her with him but the defendant did not reply the same, then she took shelter at her parents' house and she is being maintained by her parents till todate,

6) That the cause of action arisen firstly when the marriage was solemnized, secondly when the defendant failed to maintain and give shelter to the plaintiff and brought the plaintiff at her parents house, thirdly when the defendant stopped to contact with the plaintiff and finally when the Plaintiff took shelter at her parent's house and the cause of action is still continued till filing of this matter before this Honourable Court.

- 7) That the cause of action arisen within the local limits of **STEEL TOWN** Police Station, Karachi, which is within the territorial jurisdiction of this Honourable Court.
- 8) That the prescribed court fee has been affixed according to law.

P R A Y E R

It is, therefore, prayed that this Honourable Court be pleased to pass Judgment & Decree in favour of the Plaintiff and against the Defendant as under : -

- 1) To dissolve the marriage between the plaintiff and the defendant by way of Khulla in lieu of entire dower.
- 2) Any other relief or relieves, which this Honourable Court deem fit and proper in the circumstances of the suit.
- 3) Cost of the suit may also be awarded.

Karachi:
Dated: 20-03-2024

PLAINTIFF

V E R I F I C A T I O N

I, Mst. Ansa Jabeen D/o Bashir Ahmed, the Plaintiff above named, do hereby verify on oath that whatever has been stated in the foregoing paras are true and correct to the best of my knowledge and belief.

D E P O N E N T

The deponent above named is identified by me to the commissioner for taking affidavits.

A D V O C A T E.

Declared on oath before me by the deponent above named, on
this 20th day of March, 2024 at Karachi, who is identified by **Ms. Kulsoom Khan Jadoon**, Advocate, who is known to me personally.

COMMISSIONER FOR TAKING AFFIDAVITS.

**IN THE COURT OF _____ FAMILY JUDGE,
KARACHI (MALIR)**

Family Suit No. /2024

Mst. ANSA JABEEN Plaintiff

Versus

Waheed Ahmed Defendant

A F F I D A V I T

I, Ansa Jabeen D/o Bashir Ahmed, Muslim, Adult, Resident of Karachi, do hereby state on oath as under : -

1. That I am plaintiff in the above titled suit and deponent of this affidavit as such am fully conversant with the facts of the matter deposed to below.

2. That the accompanying suit for dissolution of marriage by way of Khulla has been drafted and filed under my specific instructions & on my behalf and the contents whereof are true and correct and the same may please be treated as part of this affidavit for the sake of brevity.

3. That whatever stated above is true and correct to the best of my knowledge and belief.

Karachi:

Dated: 20-03-2024

D E P O N E N T.

The deponent above named is identified by me to the commissioner for taking affidavits.

A D V O C A T E.

Declared on oath before me by the deponent above named, on this 20th day of March, 2024 at Karachi, who is identified by **Ms. Kulsoom Khan Jadoon**, Advocate, who is known to me personally.

COMMISSIONER FOR TAKING AFFIDAVITS.

**IN THE COURT OF _____ FAMILY JUDGE,
KARACHI (MALIR)**

Family Suit No. /2024

Mst. ANSA JABEEN Plaintiff

Versus

Waheed Ahmed Defendant

LIST OF WITNESSES

01. Mst. Ansa Jabeen
Plaintiff.

02.

03.

Karachi.
Dated:20-03-2024

ADVOCATE FOR THE PLAINTIFF.

SUMMON
IN THE COURT OF _____ FAMILY JUDGE,
KARACHI (MALIR)

Family Suit No. /2024

Mst. ANSA JABEEN Plaintiff

Versus

Waheed Ahmed
S/o Yar Muhammad,
Muslim, Adult, Resident of
House No.3, Survey No.355,
Sector 8/c, Area Bilal Colony,
Muhammad Ali Goth, Korangi,
Karachi.

Phone No.0315-2735011 Defendant

To,
The Above Name Defendant.

Whereas the above named Plaintiff has filed a suit against you for
Dissolution of Marriage By Way Of Khula.

You are hereby summoned to appear in this Court in person, or by a pleader duly instructed, and able to answer all material questions relating to the suit or who shall be accompanied by some person able to answer all such questions, on the _____ at _____ in the morning to answer the claim; and you are directed to produce on that day all the documents upon which you intended to rely in support of your defence, and to file your written statement on the said date.

Take notice that, in default of your appearance on the day before mentioned, the suit will be heard and determined in your absence.

Also take notice that in default of your filing and address for service on or before the date mentioned you are liable to have your defence struck out.

Give under my hand and seal of the Court,
This _____

BY ORDER

IN THE COURT OF FAMILY JUDGE AT KARACHI EAST

Family Suit No. / 2023

Mst Ainy & Another Plaintiffs

VERSUS

Mr Sharif Son of Murad Bux Defendant

**AFFIDAVIT IN EXPARTE PROOF
OF THE PLAINTIFFS**

I, Mst Ainy daughter of Noor Muhammad, Muslim, Adult, R/o Karachi, do hereby state on oath as under:-

1. That I am plaintiff No.1 and mother / natural guardian of the plaintiff No.2 in the above case as such I am well conversant with the facts of the case.
2. That I say that the contents of my main plaint may kindly be treated as part and parcel of this affidavit for the sake of brevity.
3. That I say that I was married with the defendant on April 2021 according to the Muslim Family Law, against the dower of a Plot of land admeasuring 240 square yards, which is still unpaid / transferred in my name by the defendant. It is humbly submitted that Nikahnama is held with the defendant and despite of best effort I could not obtain any copy of the same.

(Affidavit for non-production of Nikkah Nama and copies of bills are enclosed herewith and marked as annexure 'A /1 to A/').

4. That I say that after Nikah, Rukhsati took place and marriage was duly consummated between the spouses, and out of the wedlock one female baby namely Ayesha aged about 08 months was procreated, which are in my lawful custody.
5. That I say that after the marriage I joined Defendant as his legally wedded wife and performed my conjugal obligations as per law, customs and usages having the force of law. It is further submitted that the defendant was already married and was issueless as such he contracted a second marriage with me.

6. That I say that initially the matrimonial relation was satisfactory but with the passage of time and after six months of marriage, Defendant started harassing and teasing me on one pretext or the other and started quarrelling on petty matters. It is further averred that I, being an edified and respectable lady borne all the atrocities with the good hopes, but it is matter of record that Defendant's campaign of harassment, torture, physical and mental exaggerated to much extent. Besides the fact that Defendant has always neglected me and the baby from the maintenance, for which Defendant is legally bound to provide.
7. That I say that the defendant always used to torture, abuse & maltreat me but I am having no alternate shelter endured all that just under the hope that by the passage of time the defendant would realize his responsibilities and resultantly in future a happy & normal matrimonial life would be started for me but all my such hopes went in vain due to continuous habitual misconduct, maltreatment, ill attitude, immoral and financial demands and illegal activities of the defendant and contracting second marriage without my consent and permission.
8. That I say that the defendant is founder of addiction and used to take wine / alcohol and thereafter he used to torture me on petty matters and further he did not pay any maintenance to me and forced me to take money from my parent house to fulfill my expenses. On last moon night when he came at house after

drinking and tried to kill me and her minor girl/ plaintiff No.2 which was hardly 3 months old at that time.

9. That I say that the defendant during entire matrimonial life failed to properly maintain me as well as minor and I myself by doing job earn / taking money from my parent for livelihood for myself as well as for minor.

10. That I say that on January 2023 the defendant after severely beating me kicked me out from his house only in three bearing cloths along with minor and since then I am residing at my parent's house and the defendant miserably failed to send single penny in lieu of maintenance for me except as mentioned in above paras. It is further submitted that the plaintiff No.2/ minor baby is asthmatic chronic patient since last five years and is also patient of brain and she has been getting treatment from Civil Hospital Karachi and other specialists and all the medical expenses are being borne by me but the defendant has miserly failed to pay a single penny towards the medical as well as other expenses/ maintenance of the plaintiffs as such I also claims medical expenses to the tune of Rs.80,000/- incurred during last five months.

(Copies of medical bills / prescriptions are filed herewith and marked as annexure P/ to P/)

11. That I say that neither the defendant had ever provided any love and affection to me nor the defendant performed his legal & moral matrimonial obligations towards me as prescribed under Islam. Further that I have tried my level best to incline the defendant for desisting from his immoral demands, ill attitude, unlawful conduct, illegal financial demands, and un-human behaviour and to realize him the matrimonial responsibilities laid upon him by Almighty Allah, but due to obstinacy of the defendant my all sincere efforts remained fruitless. It will not be out of place to disclose here that some common well-wishers of both the parties have also tried to convince the defendant for keeping me as his wedded wife by providing me the rights / respect and to behave with me like a human but the defendant did not pay any heed towards those sincere advices.

12. That I say that defendant is earning more than Rs. 1,00,000/- p.m. from his work / business and he is liable to pay past maintenance to me at the rate of Rs. 15000/- p.m. and Rs. 20,000/- p.m. for minor past and future maintenance / medical expenses as the said amount of maintenance is very rational in such an era of high inflation rate in the country.

13. That I say that I have developed serious hate in my heart / mind against the defendant and now under the circumstances, I would prefer to die instead of

rejoining the defendant as his wife, hence this suit for dissolution of marriage by way of khula.

14. That I say that I am ready to forgo her dower amount in lieu of Khula granted by this Hon'ble Court.

15. That I say that the cause of action has arisen to me against the defendant for filing the instant suit against the defendant firstly when I was married with the defendant and thereafter defendant failed to maintain me and the minor baby and always used to beat, maltreat, abuse and torture me and finally defendant after beaten kicked me out along with children only wearing three clothes and the same cause of action is still continued day to day till the instant suit is decreed as prayed.

16. That it is, therefore, respectfully prayed that this Hon'ble Court may graciously be pleased to pass a Judgment and Decree in favour of the plaintiff No.1s and against the defendant as follows.

- a). To dissolve the plaintiff No.1's marriage with the defendant by way of Khula, as the plaintiff No.1 is ready to forgo her dower amount in lieu of Khula.
- b) To direct the defendant to pay past maintenance to the plaintiff No.1 at the rate of Rs. 15000/- p.m till Iddit period and past & future maintenance to the

plaintiff No.2 at the rate of Rs. 20,000/- p.m. from the month of January 2023 along with increment @ 10% per annum.

- c) To direct the defendant to pay an amount of Rs.80,000/- on account of medical expenses of the plaintiff No.2 spent by the plaintiff No.1 during last five months.
- d). To grant cost of the Suit or any other relief(s) which this Hon'ble Court under the facts and circumstances of the matter may deem fit and proper.

17. That I say that despite of issuance of repeated summons through all modes of services i.e. TCS, Registered A/D as required by order V Rule 9, 10-A CPC, the defendant did not turn up and failed to file written statement and as such this Honorable Court was pleased to declare him as ex parte with directions to me to file affidavit in ex parte proof, hence this affidavit.

18. That unless my plaint is decree is prayed, I and the minor shall seriously prejudice and suffer irreparable loss.

19. That whatever stated above is true and correct to the best of my knowledge and belief.

Karachi:

Dated: -02-2024

DEPONENT

IN THE COURT OF XVIIth FAMILY JUDGE AT KARACHI (SOUTH)

F.S. No. 1815 / 2023

Mst Ayesha Bibi Plaintiff

VERSUS

Muhammad Naveed Defendant

AFFIDAVIT IN EX-PARTE PROOF.

Mst Ayesha Bibi D/o Zulfiqar Ali, Muslim, Adult, R/o House No. 1795, Street No. 02, 1st floor, Muslim town near Dada bhoe town, Shaheed-e Millat Road Karachi, do hereby state on oath as under : -

1. That I say that I am the Plaintiff in the above matter as well as deponent of this affidavit, as such am fully conversant with the facts of the case.
2. That I say that I was married with the defendant on 16-11-2019, according to the Muslim Family Law, against the dower amount of Rs.6,000/-, being differed at the time of *Nikahnama*. It is pertinent to mention that marriage took place at Village and thereafter we both the spouses shifted to Karachi.

(Photocopy of Nikahnama and Electricity Bill have alrwady been annexed with the plaint and marked as annexure 'A' and 'B'.)

3. That I say that after Nikah, Rukhsati took place and marriage was duly consummated between the spouses, I joined the defendant as his legally wedded wife , while from the said wedlock no issue was procreated.

4. That I say that after some time of marriage, defendant changed his behaviour and showed his true colors of his eyes and started rude behaviour with me and made her life miserable day by day.

5. That I say that the defendant always used to torture, abuse & maltreat towards me but I having no alternate shelter endured all that just under the hope that by the passage of time the defendant will realize his responsibilities and resultantly in future a happy & normal matrimonial life will start for me but my all such hopes went in vain due to continuous habitual misconduct, maltreatment, ill attitude, immoral and financial demands and illegal activities of the defendant. It is further submitted that he never loved and cared about me and also failed to take interest in me, which showed that he is not happy with the said marriage. It is further submitted that the defendant is also avoiding to keep me with him and also failed to pay maintenance to me since their marriage.

6. That I say that the defendant during entire matrimonial life failed to maintain me properly and defendant always pressurize me to earn money for myself and also maintain myself.

7. That I say that I hardly resides few months with the defendant and after that he kicked out me only wearing her three clothes and since then I am residing at her parent's house at above mentioned address and defendant failed to send single penny in lieu of maintenance.

8. That I say that neither the defendant ever did not provide me any love or affection nor the defendant performed his legal & moral matrimonial obligations towards me as prescribed under Islam. Further that the plaintiff had tried her level best to incline the defendant for desisting from his immoral demands, ill attitude, unlawful conduct, illegal financial demands and un-human behaviour and to realize him the matrimonial responsibilities laid upon him by Almighty Allah, but due to obstinacy of the defendant my all sincere efforts remain result less. It will not be out of place to disclose here that some common well wishers of both the parties have also tried to incline the defendant for keeping me as his wedded wife by provide me the rights and to behave with me like a human but the defendant did not pay any heed towards those sincere advices.
9. That I say that I have developed serious hate in my heart against the defendant and now under the circumstances, I will preferred to die instead of rejoining the defendant as his wife, hence this suit for dissolution of marriage by way of khula.
10. That I say that I am ready to forgo my dower amount in lieu of Khula granted by this Hon'ble Court.
11. That I say that all the modes of services in respect of the instant suit has been adopted and the proceedings of the instant case has come in the knowledge of

defendant but he deliberately is avoiding to appear before this Hon'ble Court.

My suit may be decreed as prayed by me in the prayer clause of the plaint.

Karachi:

Dated: 21.10.2023

D E P O N E N T

**IN THE COURT OF FAMILY JUDGE,
KARACHI (WEST)**

Family Suit No. _____/2024

Mst. Azmat Bibi
D/o Meer Baaz Khan, Muslim,
adult, resident of House No.59/7-2,
area Saeedabad, Baldia Town
Karachi.Plaintiff.

Versus

Asad Khan
son of Kausar Iqbal Khan,
Muslim, adult, resident of
resident of Mohalla New
Mian Wali Colony, Side
Town Karachi.
Cell No. Defendant.

**SUIT FOR RECOVERY OF DOWRY ARTICLES AND
MAINTENANCE:**

The Plaintiff No. 1 respectfully submits as under : -

1) That the Plaintiff was married with the defendant on 01.01.2021, against the dower amount of Rs.2,000/-, which is still not paid(in case of divorce shall pay Rs.200,000/-).

(Photocopy of nikahnama is annexed herewith and marked as annexure '_____').

2) That after marriage, Rukhsati was effected and the Plaintiff started to live with the Defendant at his house along with all dowry articles, which given as per list to the plaintiff by her parents of valuing of Rs._____, which are lying under the possession of the defendant's house.

(Photocopy of list of dowry articles are annexed herewith and marked as annexure '_____').

3) That the brother of plaintiff gifted the gold ornaments including 1 set of ear ring (2 tola), 2 necklace (2 tola), claw of hand including 4 rings (1 tola) to the plaintiff which was brought at the house of defendant and which is still in the custody of defendant as such the plaintiff demanded many times to return her back but defendant refused to return the same.

(Photocopy of Gold ornaments are annexed herewith and marked as annexure '_____').

4) That the marriage was duly consummated and out of this wedlock of the plaintiff and defendant, no issue was born, due to this reason defendant used to beat the plaintiff brutally, tortured her and injured her many times.

(Photographs of injuries to plaintiff are annexed herewith and marked as annexure ‘_____’).

5) That the defendant, his father and defendant's sister tried to kill the plaintiff by giving the poison in her tea, she safe her life hardly, many times tried to kill her and given her life threats that they will kill her same like they killed their sister.

6) That 2 months ago the defendant ousted the plaintiff from his house in three wearing cloths, then she took shelter in her brother' house and she is being maintained by her brother since then, the cause of action is still continued till filing of this matter before this Honourable Court.

7) That the defendant has left/abandoned the plaintiff at the mercy of the circumstances since two months Nov,2023, all the expenses of plaintiff are bearing by her brother, facing hardship of bitter life realities.

8) That the defendant has failed to maintain the Plaintiff since last two months, besides the defendant since the beginning of the marriage with the plaintiff used to mercilessly beat, torture the plaintiff and made the lives of all the plaintiff as miserable and spoiled.

- 9) That the defendant by profession is a Business man and having properties in village, also does job in Panadol company and earns handsome income and can easily pay maintenance of plaintiff of Rs.25,000/- monthly.
- 10) That the cause of action arisen firstly when marriage was solemnized, secondly when no issue born thirdly when the defendant started to beat the plaintiff, fourthly tried to kill the plaintiff fifthly the defendant failed to maintain the plaintiffs, sixthly when the defendant ousted the Plaintiff and finally she is started to live at her brother house continue till filing of this matter before this Honourable court.
- 11) That the cause of action arisen within the local limits of _____ Police Station, Karachi Central, which falls within the territorial jurisdiction of this Honourable court.
- 12) That the prescribed court fee has been affixed according to law.

P R A Y E R

It is, therefore, prayed that this Honourable Court be pleased to pass Judgment and Decree in favour of the Plaintiffs and against the defendant as under : -

- 1) To direct the defendant to handover the dowry articles and Gold ornaments i.e. 5 tola Gold in case of failure learned Nazir of this Hon'ble Court may be directed to take over the same and handed the same to the plaintiff No.1 or alternatively pay the amount of dowry articles _____ and gold @ of todate.
- 2) To direct the defendant to pay the past maintenance of the plaintiff since 2 months and till to date at the rate of Rs.25,000/- per month with 20% per annum increase.
- 3) Any other relief or relieves, which this Honourable Court deem fit and proper in the circumstances of the case.
- 4) Cost of the suit may also be awarded.

P L A I N T I F F.

V E R I F I C A T I O N

I, Mst. Azmat Bibi D/o Meer Baaz Khan, the Plaintiff No.1 above named, do hereby verify on oath that whatever has been stated in the foregoing paras are true and correct to the best of my knowledge and belief.

D E P O N E N T.

The deponent above named is identified by me to the commissioner for taking affidavits.

A D V O C A T E.

Declared on oath before me by the deponent above named, on this 25st day of jan,2023 at Karachi, who is identified by **Ms. Kulsoom Khan Jadoon**, Advocate, who is known to me personally.

COMMISSIONER FOR TAKING AFFIDAVITS.

**IN THE COURT OF FAMILY JUDGE,
KARACHI (WEST)**

Family Suit No. _____/2024

Mst. Azmat Bibi.....Plaintiff.

Versus

Asad Khan Defendant.

ADDRESS FOR SERVICE

Mst. Azmat Bibi
D/o Meer Baaz Khan, Muslim,
adult, resident of House No.59/7-2,
area Saeedabad, Baldia Town
Karachi.

Karachi:
Dated: 25.01.2024 ADVOCATE FOR THE PLAINTIFF.

**IN THE COURT OF FAMILY JUDGE,
KARACHI (WEST)**

Family Suit No. _____/2024

Mst. Azmat Bibi.....Plaintiff.

Versus

Asad Khan Defendant.

LIST OF WITNESSES

1. Zafar Iqbal
brother of the Plaintiff.
2. Javed Iqbal
Brother in law of plaintiff

Karachi:
Dated: 25.01.2024 ADVOCATE FOR THE PLAINTIFF.

**IN THE COURT OF FAMILY JUDGE,
KARACHI (WEST)**

Family Suit No. _____/2024

Mst. Azmat Bibi.....Plaintiff.

Versus

Asad Khan Defendant.

**APPLICATION UNDER SECTION 17-A
OF FAMILY COURT ACT**

For the reasons disclosed in the accompanying affidavit, it is respectfully prayed on behalf of the Plaintiffs above named that this Honourable Court may be pleased to pass the order for interim maintenance of the Plaintiff at the rate of Rs.25,000/- per month each, as the Plaintiff is in urgent need of financial help.

It is, therefore, prayed that this Honourable court be pleased to pass the order for interim maintenance at the rate of Rs.25,000/- per month for each Plaintiff, in the interest of justice.

Karachi:

Dated: 25.01.2024 ADVOCATE FOR THE PLAINTIFF.

**IN THE COURT OF FAMILY JUDGE,
KARACHI (WEST)**

Family Suit No. _____/2024

Mst. Azmat Bibi.....Plaintiff.

Versus

Asad Khan Defendant.

A F F I D A V I T

I, Mst. Azmat Bibi D/o Meer Baaz Khan, Muslim, adult, resident of House
No.59/7-2, area Saeedabad, Baldia Town Karachi, do hereby state on oath as under

: -

- 1) That I am Plaintiff in the above matter, as such fully conversant with the facts of the case.

2) That the accompanying application u/s 17-A of Family Court Act, has been drafted and filed under my specific instructions, as such the same may be treated as part and parcel of this affidavit for the sake of brevity.

Whatever has been stated above is true and correct to the best of my knowledge and belief.

D E P O N E N T.

The deponent above named is identified by me to the commissioner for taking affidavits.

A D V O C A T E.

Declared on oath before me by the deponent above named, on this 25th day of Jan, 2024 at Karachi, who is identified by **Ms. Kulsoom Khan Jadoon**, Advocate, who is known to me personally.

COMMISSIONER FOR TAKING AFFIDAVITS.

SUMMON

**IN THE COURT OF _____TH FAMILY JUDGE,
KARACHI (WEST)**

Family Suit No. _____/2024

Mst. Azmat Bibi.....Plaintiff.

Versus

Asad Khan
son of Kausar Iqbal Khan,
Muslim, adult, resident of
resident of Mohalla New
Mian Wali Colony, Side
Town Karachi.

Cell No._____.....Defendant.

To,

The Above Name Defendant.

Whereas the above named Plaintiff has filed a suit against you for **Suit For recovery of dowry articles and Maintenance.**

You are hereby summoned to appear in this Court in person, or by a pleader duly instructed, and able to answer all material questions relating to the suit or who shall be accompanied by some person able to answer all such questions, on the _____ at _____ in the morning to answer the claim; and you are directed to produce on that day all the documents upon which you indented to rely in support of your defence, and to file your written statement on the said date.

Take notice that, in default of your appearance on the day before mentioned, the suit will be heard and determined in your absence.

Also take notice that in default of your filing and address for service on or before the date mentioned you are liable to have your defence struck out.

Give under my hand and seal of the Court,

This _____

BY ORDER

**IN THE COURT OF DISTRICT & SESSIONS JUDGE AT
KARACHI, WEST**

H C.P No. /2023

Mst. Bibi Rameem

D/o Meer Jol Shah Khaista Baba,
Muslim, Adult, R/o House # _____

Karachi. ----- **Applicant/Petitioner**

VERSUS

1. Abdul Malik

S/o Ghulam Ur Rehman, Muslim,
Adult, R/o House No. H-GSH1800,
Mohallah Gulshan, Sikandarabad,
Kemari, Karachi.
CNIC No. 42401-3900924-7
Cell No. 0346-2774020

2. Station House Officer,

P.S : Jackson Kemari, Karachi, West. ----- **Respondents**

Master Abdul Wahab

S/o Abdul Malik,

Age about 1 year and 9 months
Presently illegally confined/detained
by the respondent No.1.----- **Detenue**

HABEAS CORPUS APPLICATION UNDER SECTION 491

Cr.P.C.

It is most respectfully prayed on behalf of the petitioner abovenamed that this Hon'ble Court may be pleased to direct the respondent No.2 to recover the detenu from the illegal detention of respondent No.1 and produce him before this Hon'ble Court and further take legal action against the respondent No.1 on the consideration of following facts and grounds:-

FACTS AND GROUNDS:

1. That the petitioner is respectable and law abiding and peace loving citizen of Islamic Republic of Pakistan, who is living at above mentioned address.
2. That the petitioner contracted marriage with respondent No.1 on 23-06-2019 according to the Muslim Family Law, against the dower in shape of gold ornament of 4 Tola Gold.

(The Photocopy of Nikahnama is annexed herewith and marked as Annexure "A").

3. That after Nikah, Rukhsati took place on 27-08-2020 and marriage was duly consummated between the spouses, and out of the wedlock two issues (**twins**) namely (1) Master Abdul Wahab (detenu) age about 1 year and 9 months DOB: 27.03/2022 (2) Baby Jaweria (died) age about 1 year and 9 months DOB: 27.03/2022 were procreated, whereas Master Abdul Wahab (detenu) is in the unlawful, illegal and improper custody of the respondent No.1.

4. That initially the matrimonial relation was satisfactory but with the passage of time, respondent No.1 started to harass and tease the petitioner on one pretext or the other and started quarrelling on petty matters, maltreated the petitioner extremely and resultantly the petitioner started to live at her parent's house.
5. That on 02.11.2023 the respondent No.1 contacted the petitioner side for settlement, as such the respondent No.1 ousted the petitioner from his house 9 months ago along with minor, the meanwhile the respondent No.1 came and requested the petitioner side to meet up with the detenu, resultantly she allowed him to with detenu, so the detenu was got met with the respondent No.1, at the time of reconciliation and settlement the respondent No.1 pronounced Tallaq to the petitioner on dated 02.11.2023 in presence of witness and the respondent No.1 with some pretext took away the detenu somewhere, later on the petitioner side tried to contact the respondent No.1 on his cell phone, which was switched off temporarily.
6. That later on the fact came in the knowledge of petitioner that the respondent No.1 has illegally and improperly confined the detenu at the place/address as cited in the title of the instant petition.

- 7.** That the respondent No.1 is mentally disturbed person having some mental disorder ailment and the detenu who is a milk suckling child, he is in serious danger and he may be caused irreparable harm pertaining to his life and safety.
- 8.** That the petitioner approached the respondent No.2 to provide her legal help for the recovery of the detenu but she was provided no legal help and advised to seek remedy from the Court of law, hence this petition.
- 9.** That the above named detainue is contuesly up till under the illegal and improper custody/detention of the private respondent and requires the interference of this Hon'ble court.
- 10.** That the petitioner seeks the custody of detainue from the illegal/improper custody of respondent No.1 and the detenu is suffering serious health problem in his hands.
- 11.** That the detenu has been kept under the illegal confinement within the local limits of Police Station: Jackson Kemari, Karachi-West, hence this Hon'ble Court has jurisdiction in this matter.

12. That the petitioner having no other efficacious and alternate remedy except to seek relief from this Hon'ble Court and he craves leave of this Honorable Court to urge and submit further facts and grounds in her favour at the time of hearing of this petition.

P R A Y E R

In the light of above mentioned facts and circumstances, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to pass an order as under:

- a) To direct the Respondent No.2/SHO of P.S: Jackson Kemari to recover the detenu from the illegal and improper custody/ illegal detention of the private respondent No.1 and produce the detenu before this Hon'ble Court and hand over the detenu to the petitioner.
- b) To direct the respondent No.2 to handover the peaceful and physical custody of the minor/detenu, as such the detenu is minor and he cannot live without his mother, while the petitioner being the real mother reserves the legal, factual and fundamental right to have the custody of the minor/detenu.
- c) Any other relief which this Hon'ble Court deems fit.

Karachi

Dated: 04-11-2023

**ADVOCATE FOR THE
PETITIONER**

**IN THE COURT OF DISTRICT & SESSIONS JUDGE AT
KARACHI, WEST**

H C.P No. /2023

Mst. Bibi Rameem -----Applicant/Petitioner

VERSUS

1. Abdul Malik

2. Station House Officer,
P.S : Jackson Kemari, Karachi, West. ----- **Respondents**

Master Abdul Wahab-----Detenue

AFFIDAVIT

**I, Mst. Bibi Rameem D/o Meer Jol Shah Khaista Baba, Muslim,
Adult, Resident of Karachi., do hereby state on oath as under;**

1. That I am deponent of this affidavit as well as applicant/petitioner and fully conversant with the facts.
2. That the attached petition/application under section 491Cr.P.C. drafted and filed under my instruction which may be considered necessary part and parcel of this affidavit.
3. That until and unless accompanying application is granted I will be seriously prejudice and suffer irreparable losses and the end of justice also be defeated.
4. Whatever stated above is true and correct to the best of my knowledge and belief.

KARACHI

DATED: 04-11-2023

DEPONENT

IN THE COURT OF SENIOR CIVIL JUDGE/JUDGE FAMILY COURT, LAHORE.

Family Suit No. _____ /2021

Mst. Rubina D/o Muhammad Shahbazc R/o Bank Stop,Chungi Amar sadhu Lahore.

PLAINTIFF

Versus

Muhammad Shahid Abbas S/o Ameer Bakshah R/o House No. 104, Street No. 5
Sitara Colony,Bank stop Chungi amar sadhu, Lahore .

DEFENDANT

SUIT FOR DISSOLUTION OF MARRIAGE

Respectfully Sheweth:-

1. That the plaintiff was married with the defendant according to Islamic Rites on 20.04.2016.

2. That after the marriage, plaintiff started living with defendant. In the beginning, the conduct of defendant was normal but after about one week, the defendant started treating the plaintiff with cruelty.

3. That defendant is a person of evil nature, having relations with notorious women and keeps bad society and also forced the plaintiff to indulge in immoral activities and on her refusal, used to beat her, even at one point of time, attempted to kill her.

4. That the plaintiff when protested against the immoral activities of defendant defendant instead kicked her out of his house. The plaintiff had to take shelter at her parent's house.

5. That on account of the cruel conduct of defendant, the plaintiff has developed extreme hatred against the defendant and cannot live with him within the bounds prescribed by Allah Almighty.

6. That all efforts for bringing about reconciliation have failed. The plaintiff seeks dissolution of her marriage on the ground of "Khula".

7. That the cause of action arose in favour of plaintiff and against the defendant 20.04.2016 when the Nikkah of the plaintiff was solemnized the

defendant, secondly a week after the marriage, when the defendant started treating the plaintiff with cruelty and finally Four week ago when defendant kicked the plaintiff out of his house and she was constrained take shelter at her parent's home.

8. That the cause of action arose at Lahore, both the parties to the suit are residing in Lahore, therefore, this learned court has got the jurisdiction to try and adjudicate upon this suit.
9. That the prescribed court fee of Rs. 15/- is affixed on the plaint.

PRAYER

It is, therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of "Khula" may kindly be passed in favour of the plaintiff and against the defendant in the interest of justice.

PLAINTIFF

Through

Counsel

Adv Zobia noor Dogar

VERIFICATION

Verified on oath at Lahore on 3th day of March 2021 that contents of Para No. 1 to 6 of the plaint are correct to the best of my knowledge and the remaining Para No. 7 to 9 are correct to the best of my belief and nothing has been kept concealed therefrom.

PLAINTIFF

IN THE COURT OF SENIOR CIVIL JUDGE/JUDGE FAMILY COURT, LAHORE.

Family Suit No. _____ /2021

Mst. Rubina Shahbaz. Versus Muhammad Shahid Abbas.

SUIT FOR DISSOLUTION OF MARRIAGE

List of witnesses

1. Muhammad Ameer son of Muhammad yousaf , r/o House No. 184, Street No.5,Nishat Colony,Akhari stop, Lahore.

2. Muhammad Hassan son of Muhammad sarfaraz, R/o Nizam Shadi Hall,Yad gar, Lahore.

Plaintiff

Through;

COUNSEL

Adv zobia noor

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MST. ZOBIA IKRAM

Daughter of Muhammad Ikram, resident of Mohallah China Scheme, Lahore.

Plaintiff

VERSUS

NAZIR AHMED

Son of Abdul Jabbar, resident of _____

Defendant

SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA.

Respectfully Sheweth:-

1. That the addresses of the parties are correctly been given on the head-note of petition which are sufficient for the purpose of notice/summons.

2. That the concise facts giving rise to present plaint are that the Nikkah of the plaintiff was solemnized with defendant in accordance with Muslim Rites on 03.05.2017. Original Nikka Nama is in the custody of the defendant.
3. That the Rukhsati of the plaintiff was not got affected upto now.
4. That soon after Nikah it came into the knowledge of the plaintiff that the defendant is quarrelsome, and both families have great mental differences, the family of the defendant started to raise different illegal demands.
5. That plaintiff requested the defendant many a times to leave such nefarious activities and mend his ways but inspite of repeated requests result remained nill.
6. That due to the conduct and activities of the defendant severe hatred developed in the heart and mind of the plaintiff against the defendant and the plaintiff is not ready to join the defendant as his wife at any cost.
7. That plaintiff requested the defendant to divorce her and release her from the tie of marriage, but the defendant flatly refused to accede the genuine request of the plaintiff.
8. That the plaintiff again approached to the defendant alongwith respectable and requested the same but the defendant again flatly refused to accede the genuine request of the plaintiff, hence this suit.

9. That the cause of action firstly accrued in favour of the plaintiff and against the defendant when the Nikah was solemnized and secondly when it transpired to the plaintiff that the defendant is quarrelsome person and lastly when the defendant refused to divorce the plaintiff. The cause of action is till continuous.
10. That the cause of action accrued here at Lahore and plaintiff is residing at Lahore, therefore, this court has got jurisdiction to entertain the matter.
11. That the prescribed Court fee has been affixed on the plaint.

PRAYER:-

It is, therefore, most respectfully prayed that a decree for dissolution of marriage may kindly be passed in favour of the plaintiff and against the defendant on the basis of Khula.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

Through

MUHAMMAD FARHAT ABBAS BHATTI
Advocate High Court

**Fayyaz Riaz Gujjar
Advocate High Court**

**Ali Hussain Gujjar
Advocate High Court
85-The Mall, Lahore.**

VERIFICATION:

Verified on Oath at this day of March, 2024 that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF SENIOR CIVIL JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

Family Suit No. _____ /2024

IN RE:

MST. ZOBIA IKRAM VS. NAZIR AHMED

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA)

SCHEDULE OF WITNESSES

1. **Plaintiff herself**
- 2.

All the witnesses will support the version of the plaintiff.

Plaintiff

Through

MUHAMMAD FARHAT ABBAS BHATTI
Advocate High Court

Fayyaz Riaz Gujjar
Advocate High Court

Ali Hussain Gujjar
Advocate High Court
85-THE MALL, LAHORE.

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Zobia Ikram Vs. Nazir Ahmed

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA)

AFFIDAVIT FOR NON-AVAILABILITY OF NIKKAH NAMA.

AFFIDAVIT OF:

Mst. Zobia Ikram daughter of *Muhammad Ikram,*
resident of Mohallah China Scheme, Lahore.

I the above named deponent do hereby solemnly affirm and declare as under:

That the plaintiff married to the defendant, Nikkah Nama is in possession of defendant, the plaintiff is swearing this affidavit for obtaining Khula.

DEPONENT

VERIFICATION:

Verified on Oath at Lahore this **07th day of March, 2024** that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

DEPONENT

**IN THE COURT OF MR. AYUB GULL, LEARNED JUDGE FAMILY
COURT, LAHORE.**

In re:

Mst. Zainab Khawar **Vs.** H assan Rafiq etc.

(SUIT FOR DISSOLUTION OF MARRIAGE ETC)

APPLICATION UNDER SECTION 16, RULE 1 (2) READ WITH SECTION 151 CPC
FOR PERMISSION TO FILE THE FRESH SCHEDULE OF WITNESSES IN THE
ABOVE TITLED CASE ON BEHALF OF DEFENDANT NO.1.

Respectfully Sheweth:

1. That the above titled suit is pending for adjudication before the Honourable Court.
2. That the defendant No.1 submitted his written statement alongwith schedule of witnesses in the above said suit.
3. That in the schedule of witnesses the witness No.1 i.e. Ibrahim Rasheed Khan is unable to come in the court due to old age and bad health, so, **instant applicant is being filed with the change of witness i.e. “Muhammad Najmul Saqib Butt son of Abdul Wahid Butt” instead of “Ibrahim Rasheed Khan”.**
4. That it is settled law that cases should be decided on merits instead of technicalities.

5. That present application is being filed for allowing the applicant to submit the fresh schedule of witnesses.
6. That if present application is not allowed, the applicant is bond to suffer an irreparable loss and injury.

PRAYER:

Under the above circumstances it is, therefore, most respectfully prayed that application may very kindly be allowed and applicant may very kindly be allowed to submit fresh schedule of witnesses, in the interest of justice, equity and fair play.

Any other relief which this Honourable Court deems fit may also be awarded.

Petitioner

Through

Abdul Waheed Ranjha
Advocate High Court

Munawar Hussain Ch.
Advocate High Court

Abbas Ali Awan

Advocate High Court

**IN THE COURT OF MR. AYUB GULL, LEARNED JUDGE FAMILY
COURT, LAHORE.**

In re:

Mst. Zainab Khawar **Vs.** Hassan Rafiq etc.

(SUIT FOR DISSOLUTION OF MARRIAGE ETC)

**APPLICATION UNDER SECTION 16, RULE 1 (2) READ WITH SECTION 151 CPC
FOR PERMISSION TO FILE THE SCHEDULE OF WITNESSES IN THE ABOVE
TITLED CASE ON BEHALF OF DEFENDANT NO.1.**

AFFIDAVIT OF: **Hassan Rafique** son of Muhammad Rafique, resident of House No.36, Street No.3, Mohallah Shahzada Town, Islamabad.

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying "***Application***" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this 12th day of December, 2023 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

Deponent

IN THE COURT OF MR. AYUB GULL, LEARNED JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Zainab Khawar **Vs.** Hassan Rafiq etc.

(SUIT FOR DISSOLUTION OF MARRIAGE ETC)

APPLICATION UNDER SECTION 16, RULE 1 (2) READ WITH SECTION 151 CPC FOR PERMISSION TO FILE THE SCHEDULE OF WITNESSES IN THE ABOVE TITLED CASE ON BEHALF OF DEFENDANT NO.1.

SCHEDULE OF WITNESSES

1. Muhammad Najmul Saqib Butt son of Abdul Wahid Butt
2. Talha Rasheed Khan son of Ibrahim Rasheed Khan
3. Defendant No.1 himself.

All witnesses will support version of defendant No.1.

Petitioner

Through

Abdul Waheed Ranjha
Advocate High Court

Munawar Hussain Ch.
Advocate High Court

Abbas Ali Awan
Advocate High Court

MUTUAL DIVORCE BY WAY OF MUBARAT

I, **Zain-ul-Hussain Jaffery** son of Shahid Ali Jaffery CNIC No.35202-3145365-9, resident of House No.568, Block-A1, Phase-11, DHA, Cantt. Lahore.

That a Nikkah was solemnized between **Farwa Zahra** daughter of Shahzada Mahmood-ul-Hassan Jafri CNIC # 35201-7397941-0 resident of House No.283, Block-F, Mohallah Qasar Sahib-uz-Zaman, Gulshan Ravi, Lahore and the executant on 14.02.2022. Out of this wedlock no issue was born.

Due to some unavoidable circumstances disputes have arisen between the spouses just within few years of their marriage, the elders of both the parties have tried their level best to resolve this issue but all the efforts put no effect on both the parties. Thus amicably decided to put this relationship to an end by way of this settlement/Mubaraat Deed, therefore, the same is being prepared with the consent of both the parties.

That it is settled between the parties that due to family disputes, the spouses cannot live with each other within the prescribed limits of Almighty Allah, hence this Divorce Deed is made by way of Mubaraat, thus the first party pronounced Talaq to second party as follows:-

- i. I Zain-ul-Hussain Jaffery son of Shahid Ali Jaffery pronounce Talaq to Farwa Zahra daughter of Shahzada Mahmood-ul-Hassan Jafri.
- ii. I Zain-ul-Hussain Jaffery son of Shahid Ali Jaffery pronounce Talaq to Farwa Zahra daughter of Shahzada Mahmood-ul-Hassan Jafri.
- iii. I Zain-ul-Hussain Jaffery son of Shahid Ali Jaffery pronounce Talaq to Farwa Zahra daughter of Shahzada Mahmood-ul-Hassan Jafri.

That the parties have been separated with mutual consent of each other and it is also mutually agreed that executant/Zain-ul-Hussain Jaffery will pay the balance dowry as agreed in Nikah Nama.

All the matters between the parties including dowry articles, maintenance allowance, give and take between both parties are clear and there is no dispute by all means, and parties will not file any application, suit etc. before any court of law, offices, police stations etc.

Executant

Zain-ul-Hussain Jaffery
Son of Shahid Ali Jaffery

Executant

Farwa Zahra
D/o Shahzada Mahmood-ul-Hassan Jafri

Witness No.1

Kumail Hassan Jaffery

Witness No.2

Muhammad Awais

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

1. *Mst. Zahida Kanwal daughter of Ahmed Shah, resident of Jamiya Masjid Street, Street No56, Mohallah Malik Park, Islam Gunj, Lahore.*
2. *Maham Zainab date of birth 01.12.2007 daughter of Shahid Hussain.*
3. *Haider Abbas date of birth 11.02.2012 son of Shahid Hussain.*

(Minors through real mother plaintiff No.1)

Plaintiffs

V E R S U S

Shahid Hussain son of Ahmed Shah, resident of Sheirkpur Khurd, Nafees Town Near Akbar Shah Gee Parchounwala,

Mohallah Asif Abad Colony, Kot Abdul Maalik, Tehsil Ferozewala, District Sheikhupura.

Defendant

SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA,
RECOVERY OF MAINTENANCE ALLOWANCE.

Respectfully Sheweth:-

1. That tersely the facts necessitating for the filing of instant Family Suit are that plaintiff No.1 married to the defendant on 19.09.2005 in accordance with the Muslim Rites. The dower amount Rs.500/- thousand which is unpaid
2. That out of this wedlock plaintiffs No.2 to 3 were born, who are residing with plaintiff No.1 and plaintiff No.1 is enduring all the expenses of feed, cloths, medication, education etc.
3. That after marriage for some time relations between the parties remained cordial but later on the defendant changed his attitude and started to quarrel with plaintiff No.1 on petty household

matters and also started to beat and maltreat plaintiff No.1 and made her life miserable.

4. That one year ago, the defendant deserted plaintiff No.1 from his house in three wearing clothes after snatching the dowry articles and golden ornaments belonging to plaintiff No.1 and since then the plaintiffs are residing in the rented house, defendant has not paid even single penny as maintenance allowance and even has no paid rent of property.
5. That during this whole period of desertion, the defendant did not bother to visit the parental house of plaintiff No.1 to see the plaintiffs and did not pay a single penny to the plaintiffs as maintenance, as under the law it is the duty and obligation of the defendant to maintain the plaintiffs.
6. That the defendant is man of means and religious preacher and teacher he is earning a handsome and

attractive amount more than Rs.200,000/- per month, but he ignored his obligations and avoided to maintain the plaintiffs. It is the legal right of plaintiffs to demand the maintenance at the rate of Rs.30,000/- per month each with 10% increase annually in future from the defendant.

7. That plaintiff No.1 numerously approached the defendant and requested him to pay the maintenance allowance at the above said rate but the defendant postponed the matter of payment of maintenance allowance upon one pretext or the other.

8. That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, hatred has been developed in the heart of plaintiff No.1 against defendant and she prefers death as compare to live with defendant and there is left no scope for the

parties to lead a harmonious life in future, within the limits prescribed by law, therefore, plaintiff No.1 seeks dissolution of marriage on the basis of Khula. The monthly maintenances allowance of Rs.30,000/- per month each.

9. That the defendant has been asked by plaintiff No.1, through her parents, that he may divorce plaintiff No.1, but he has paid no heed to it and a week earlier he has refused to do so, hence this suit.
10. That the cause of action arose in favour of the plaintiff and against the defendant firstly when the defendant kicked out plaintiff No.1 from his house and lastly when the defendant refused to pay the maintenance to the plaintiffs Rs.30,000/- per month each and also refused to return the dowry articles and the same is still continuing.

11. That the plaintiffs are residing at Lahore and the cause of action also accrued at Lahore, hence this Hon'able Court has got the jurisdiction to adjudicate the matter.

12. That the requisite court fee has been affixed upon the plaint.

PRAYER:

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of plaintiff No.1 and against the defendant.

It is further prayed that a decree of recovery of maintenance allowance @ Rs.30,000/- per month (each plaintiff) may very kindly be passed in favour of the plaintiffs against the defendant with 10% increase annually to meet the ends of justice.

It is further prayed that a decree for the past maintenance allowance @ Rs.30,000/- per

month each plaintiff from _____ to uptoil now may kindly be passed in favour of the plaintiffs and against the defendant.

It is further prayed that the defendant may kindly be directed to pay Rs.30,000/- per month to each plaintiff, as an interim maintenance allowance till the final disposal of the main suit.

Any other relief which this Hon'able Court deems fit and proper may also kindly be awarded.

Plaintiffs

Through

Sadaf Waraich
Advocate High Court

VERIFICATION:

Verified on Oath at Lahore, this ____ day of March, 2024
that the contents of the above plaint from Paras No.1

to 9 are true and correct to the best of my knowledge and rest of the Paras No.10 to 12 are correct to the best of my information and belief.

Plaintiffs

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Zahida Kanwal etc. Vs. Shahid Hussain

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA ETC.)

SCHEDEULE OF WITNESSES:

1.

2.

3. Plaintiff No.1 herself.

All the witnesses shall support the version of the plaintiff.

Plaintiffs

Through

Sadaf Waraich

Advocate High Court

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Zahida Kanwal etc. Vs. Shahid Hussain

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA ETC.)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT,
1964 FOR THE GRANT OF INTERIM MAINTENANCE
ALLOWANCE.**

Respectfully Sheweth:-

1. That the petitioners have filed the above titled suit in this Honourable Court in which no date of hearing has yet been fixed.
2. That the contents of the suit may kindly be read as an integral part and parcel of this application.
3. That petitioners have a good prima facie case in their favour and the suit is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioners and against the respondent.
5. That if the interim relief as prayed for is not granted, the petitioners shall suffer irreparable loss and injury.

***Under the above circumstances it is, therefore,
most respectfully prayed that the respondent may
kindly be directed to pay interim maintenance
allowance @ Rs.30,000/- per month to the each
petitioner till the final decision of the suit.***

Petitioners

Through

Sadaf Waraich
Advocate High Court

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Zahida Kanwal etc. Vs. Shahid Hussain

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA ETC.)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT,
1964 FOR THE GRANT OF INTERIM MAINTENANCE
ALLOWANCE.**

AFFIDAVIT OF: *Mst. Zahida Kanwal daughter of Ahmed Shah, resident of Jamiya Masjid Street, Street No56, Mohallah Malik Park, Islam Gunj, Lahore.*

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this day of March, 2024
that the contents of the above Affidavit are true and
correct to the best of my knowledge and belief and
nothing has been concealed.

Deponent

IN THE COURT OF LEARNED JUDGE FAMILY
COURT, LAHORE.

In re:-

—
Vs.
—

(SUIT FOR _____)

WRITTEN STATEMENT ON BEHALF OF THE DEFENDANT.

Respectfully Sheweth:-

PRELIMINARY OBJECTIONS:-

1. That the instant suit has been filed with malafide intention ulterior motives and extraneous consideration just for blackmailing and to harass the defendant.
2. That the plaintiff has no cause of action therefore, the suit cannot proceed further.
3. That the suit is not maintainable in its present form.
4. That the plaintiff has no locus standi to file the present suit, therefore, the suit is liable to be dismissed.
5. That the suit has been filed in order to blackmail and humiliate the answering defendant.

ON FACTS:-

1. Para No.1 is admitted as correct.
2. Para No.2 totally incorrect infact the defendant has love and affection with the plaintiff and the

defendant never ever blackmailed the plaintiff or her family members.

3. Para No.3 is incorrect hence denied. It is specifically mentioned it was plaintiff No.1 who used to quarrel with the defendant on petty household matter, the defendant always treated plaintiff No.1 with love and affection, plaintiff No.1 proved to be stubborn and barbaric nature lady, now plaintiff No.1 is misleading this Honourable Court.

4. Para No.4 is totally incorrect and denied. The defendant still has love and affection with the plaintiff.

5. Para No.5 is totally incorrect and denied. The defendant still has love and affection with the plaintiff.

6. Para No.6 is totally incorrect and denied. The defendant still has love and affection with the plaintiff.

7. Para No.7 is totally incorrect and denied. The defendant still has love and affection with the plaintiff.
8. Para No.8 is totally incorrect and denied. The defendant still has love and affection with the plaintiff.
9. Para No.9 is denied being incorrect. The plaintiff has no cause of action against the answering defendant to file the present suit.
10. Legal.
11. Legal.

Prayer is also denied.

Under the circumstances it is, most respectfully prayed that the suit of the plaintiff may kindly be dismissed.

Defendant

Through

Wareesha
Advocate High Court

VERIFICATION:-

Verified on Oath at Lahore, this day of February,
2024 that the contents of the above written statement
from Paras No.1 to are true and correct to the best
of my knowledge and rest of the Paras No.__ to with
preliminary objections correct to the best of my
information and belief.

Defendant

SCHEDULE OF WITNESSES

1 -

2 -

3 - Defendant himself.

ALL THE WITNESSES will support the version of the defendant.

Defendant

Through

Wareesha
Advocate High Court

**IN THE COURT OF SENIOR GUARDIAN JUDGE WITH THE
POWERS OF JUDGE FAMILY COURT LAHORE.**

Family Suit No. _____ /2024

Muhammad Waqas son of Muhammad Shahzad, resident of Askari-II, Sector-B, Post Office Lidhar, Roranwala, Tehsil Cantt., District Lahore.

Plaintiff

V E R S U S

Mst. Iqra daughter of Ghulam Rasool, resident of Sheranwali Park, Baghbanpura, Shalamar Town, Lahore.

Defendant

SUIT FOR return OF DOWRY ARTICLES.

Respectfully Sheweth:-

1. That the addresses of the parties mentioned in the caption of the plaint are correct for the purpose of summons, notices and other process of this Hon'able Court.
2. That the brief facts of instant plaint are that the plaintiff married to the defendant on 25.02.2017 according to Muslim Rites and Sunnah. Copy of Nikkah Nama is attached for kind perusal of this Honourable Court.
3. That out of this wedlock three children (1) Ayan Ali (son) aged about 5-years, (2) Mirab (daughter) aged about 3-years, (3) Dua Fatima (daughter) aged about 4-months

were born and they are in the custody of the plaintiff with the consent of defendant.

4. That at the time of marriage, the parents of the defendant gave dowry articles which lying in the house of the plaintiff. Copy of list of dowry articles is appended for kind perusal of this Honourable Court.
5. That after solemnization of marriage the relations between the parties were remained cordial hardly for some months but later on the defendant changed her behaviour towards the plaintiff and became harsh and cruel and then she on several occasions severely mentally tortured the plaintiff on petty household matters even in front inhabitants of locality and family members.
6. That the defendant is a lady of evil and cruel nature and she always ignored the plaintiff.
7. That few months ago, the defendant with her own wish and will left the house of the plaintiff. Since then the plaintiff has been residing at the above mentioned address.
8. That the plaintiff with respectables of the family members again approached to the defendant and demanded the

dowry articles as per list appended with plaint or pay its alternative amount but the defendant again flatly refused the request of the plaintiff.

9. That a week ago plaintiff again approached to the defendant and said to the defendant returns her dowry articles but the defendant again flatly refused to do so. Hence this suit.
10. That the cause of action accrued in favour of the plaintiff and against the defendant when the defendant kicked out the plaintiff from his house in three wearing apparels and lastly a week ago when the defendant totally refused to listen the genuine request of the plaintiff, and the same cause of action is still continuous.
11. That the parties of the suit are residing at Lahore, the cause of action accrued at Lahore, hence this Hon'able Court has got jurisdiction to adjudicate upon the matter.
12. That the value of the suit for the purpose of court fee is fixed Rs.15/-.

It is, therefore, most respectfully prayed that a decree for recovery of dowry articles as per list presented with plaint

or its alternative amount of Rs._____/- may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Hon'able Court deems fit may also be awarded.

Plaintiff

Through

Advocate High Court

VERIFICATION:

Verified on Oath at Lahore, this day of January, 2024 that the contents of the above plaint from Paras No.1 to 10 are true and correct to the best of my knowledge and rest of the Paras No.11 to 13 are correct to the best of my information and belief.

Plaintiff

**IN THE COURT OF SENIOR GUARDIAN JUDGE WITH THE
POWERS OF JUDGE FAMILY COURT LAHORE.**

In re:

Muhammad Waqas Vs. Mst. Iqra

(SUIT FOR RECOVERY OF DOWRY ARTICLES)

SCHEDULE OF WITNESSES

1-

2-

3- Plaintiff herself.

All the witnesses shall support the version of the plaintiff.

Plaintiff

Through

Malik Muhammad Waqas
Advocate High Court

M. Shahzad
Advocate High Court

**IN THE COURT OF SENIOR GUARDIAN JUDGE WITH THE
POWERS OF JUDGE FAMILY COURT LAHORE.**

Family Suit No. _____ /2024

Muhammad Waqas son of Muhammad Shahzad, resident of Askari-II, Sector-B, Post Office Lidhar, Roranwala, Tehsil Cantt., District Lahore.

Plaintiff
V E R S U S

Mst. Iqra daughter of Ghulam Rasool, resident of Sheranwali Park, Baghbanpura, Shalamar Town, Lahore.

Defendant

SUIT FOR return OF DOWRY ARTICLES.

Respectfully Sheweth:-

1. That the addresses of the parties mentioned in the caption of the plaint are correct for the purpose of summons, notices and other process of this Hon'able Court.
2. That the brief facts of instant plaint are that the plaintiff married to the defendant on 25.02.2017 according to Muslim Rites and Sunnah. Copy of Nikkah Nama is attached for kind perusal of this Honourable Court.
3. That out of this wedlock three children (1) Ayan Ali (son) aged about 5-years, (2) Mirab (daughter) aged about 3-years, (3) Dua Fatima (daughter) aged about 4-months were born and they are in the custody of the plaintiff with the consent of defendant.
4. That at the time of marriage, the parents of the defendant gave dowry articles which lying in the house of the plaintiff. Copy of list of dowry articles is appended for kind perusal of this Honourable Court.
5. That after solemnization of marriage the relations between the parties were remained cordial hardly for some months

but later on the defendant changed her behaviour towards the plaintiff and became harsh and cruel and then she on several occasions severely mentally tortured the plaintiff on petty household matters even in front inhabitants of locality and family members.

6. That the defendant is a lady of evil and cruel nature and she always ignored the plaintiff.
7. That few months ago, the defendant with her own wish and will left the house of the plaintiff. Since then the plaintiff has been residing at the above mentioned address.
8. That the plaintiff with respectables of the family members again approached to the defendant and demanded the dowry articles as per list appended with plaint or pay its alternative amount but the defendant again flatly refused the request of the plaintiff.
9. That a week ago plaintiff again approached to the defendant and said to the defendant returns her dowry articles but the defendant again flatly refused to do so. Hence this suit.
10. That the cause of action accrued in favour of the plaintiff and against the defendant when the defendant kicked out

the plaintiff from his house in three wearing apparels and lastly a week ago when the defendant totally refused to listen the genuine request of the plaintiff, and the same cause of action is still continuous.

11. That the parties of the suit are residing at Lahore, the cause of action accrued at Lahore, hence this Hon'able Court has got jurisdiction to adjudicate upon the matter.
12. That the value of the suit for the purpose of court fee is fixed Rs.15/-.

It is, therefore, most respectfully prayed that a decree for recovery of dowry articles as per list presented with plaint or its alternative amount of Rs._____/- may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Hon'able Court deems fit may also be awarded.

Plaintiff

Through

Advocate High Court

VERIFICATION:

Verified on Oath at Lahore, this day of January, 2024 that the contents of the above plaint from Paras No.1 to 10 are true and correct to the best of my knowledge and rest of the Paras No.11 to 13 are correct to the best of my information and belief.

Plaintiff

**IN THE COURT OF SENIOR GUARDIAN JUDGE WITH THE
POWERS OF JUDGE FAMILY COURT LAHORE.**

In re:

Muhammad Waqas Vs. Mst. Iqra

(SUIT FOR RECOVERY OF DOWRY ARTICLES)

SCHEDULE OF WITNESSES

1-

2-

3- Plaintiff herself.

All the witnesses shall support the version of the plaintiff.

Plaintiff

Through

Malik Muhammad Waqas
Advocate High Court

M. Shahzad
Advocate High Court

IN THE COURT OF SENIOR GUARDIAN JUDGE
WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MST. WAJEEHA SHOAIB

Daughter of Shoaib Iqbal Qadri, resident of House No.42, Street No. 3, Phase-II, Behira Town.

Plaintiff
VERSUS

RAHEEB QADRI

Son of Tariq Qadri, resident of House No.321/270, Mohallah L.J.P Principal Road, Islamabad.

Defendant

**SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA.**

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant on 16.09.2020according to Muslim Rites and Sunnah. Copy of Nikkah Nama is attached for kind perusal.
- 2- That out of this wedlock one child was born.
- 3- That at the time of marriage the parents of the plaintiff gave precious dowry articles to the plaintiff, which are in the possession of the defendant.
- 4- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably

failed to provide even a single penny to the plaintiff as maintenance allowance.

- 5- That the defendant is cruel temperament person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 6- That few month ago, the defendant after giving her severs beating, and snatching all her belongings, including the ornaments, the defendant ousted the plaintiff from his house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address.
- 7- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by

Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.

- 8- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.
- 9- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house and finally when the defendant flatly refused to listen the request of the plaintiff and the same is still continue.
- 10- That the **parties** to the suit are residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.
- 11- That the prescribed court fee has been affixed on the plaint.

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

Through:

Muhammad Tabsheer
Advocate High Court
Aiwan-e-Adal, Lahore.

VERIFICATION:

Verified on Oath at this day of December, 2023 that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst.Wajeeha Shoaib **Vs.** Raheeb Qadri

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

SCHEDULE OF WITNESSES:

- 1.
- 2.
3. Plaintiff herself.

All the witnesses shall support the averments of the plaint and version of the plaintiff.

Plaintiff

Through:

Muhammad Tabsheer
Advocate High Court
Aiwan-e-Adal, Lahore.

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst.Wajeeha Shoaib **Vs.** Raheeb Qadri

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

AFFIDAVIT FOR NON-AVAILABILITY OF NIKKAH NAMA.

AFFIDAVIT OF:

*Mst.Wajeeha Shoaib daughter of Shoaib Iqbal Qadri,
resident of House No.42, Street No. 3, Phase-II,
Behira Town.*

*I the above named deponent do hereby solemnly affirm and
declare as under:*

*That the plaintiff married to the defendant, Nikkah Nama is in
possession of defendant, the plaintiff is swearing this affidavit for
obtaining Khula.*

DEPONENT

VERIFICATION:

Verified on Oath at Lahore this ____ day of December, 2023 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

DEPONENT

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

Guardian Petition No. _____ /2023

Mst. Wajeeha Shoaib daughter of Shoaib Iqbal Qadri, resident of House No.42, Street No. 3, Phase-II, Behira Town.

Petitioner

V E R S U S

Rahheeb Qadri son of Tariq Qadri, resident of House No.321/270, Mohallah L.J.P Principal Road, Islamabad.

Respondent

PETITION UNDER SECTION 25 & 7 OF GUARDIAN & WARDS ACT
1890 FOR THE PERMANENT CUSTODY OF MINOR NAMELY ANAYRA
RAHEEB DATE OF BIRTH 30.08.2022.

Respectfully Sheweth:-

1. That the brief facts of the Guardian Petition are that the petitioner married to the respondent in accordance to Muslim Rites on 16.09.2020.
2. That out of this lawful wedlock minor namely Anayra Raheeb Date Of Birth 30.08.2022. was born who is alive and presently is in the custody of petitioner.
3. That the petitioner seeks the permanent custody of the minor on the following amongst other:-

GROUNDS

- a. That the respondent is unable to provide proper attention, education, feed, medication

to the minor, resultantly the future of minor ward would definitely be insecure.

- b. That the petitioner being the real mother of the minor has a preferential right to Hazanat.
- c. That the welfare and interests of the minor lie with the petitioner and if the custody of the minor is not permanently handed over/ remained with the petitioner, the minor ward will suffer mentally and physically.
- d. That in whole of the world there is no alternate of mother for minor.
- e. That the petitioner and minor from the first breath of minor are affiliated and united to each other.

- f. That it is settled law the lap of mother is lap of God.
 - g. That the petitioner has great love and affection with minor.
 - h. That the petitioner and minor both cannot be separated from each other.
4. That a week before the respondent tried to snatch the custody of the minor from the petitioner, but due to severe resistance of the petitioner and other respectable persons the respondent failed to do and he is adamant to remove the custody of the minor from petitioner, hence this petition.
5. That the cause of action arose when the respondent started his illegal activities secondly when the respondent tried to snatch the

custody of the minor from the petitioner and the same cause of action is still continuous.

6. That the petitioner alongwith minor is residing at Lahore, cause of action accrued at Lahore, hence, this Hon'able Court has got jurisdiction to adjudicate upon the matter.

7. That the requisite court fee has been affixed upon the petition.

PRAYER

UNDER THE ABOVE CIRCUMSTANCES, it is, therefore, most respectfully prayed that the petitioner may very kindly be appointed as guardian of the minor and permanent custody of the minor may kindly be remained with petitioner.

It is further prayed that the respondent may kindly be restrained from snatching the custody of the minor from the lawful custody of the petitioner.

Any other relief which this Hon'able Court deems fit may also be awarded.

Petitioner

Through

Advocate High Court
Aiwan-e-Adal, Lahore.

VERIFICATION

Verified on Oath at Lahore, this day of **December, 2023** that the contents of the above petition from Paras No.1 to 4 are true and correct to the best of my knowledge and rest of the Paras No.5 to 7 correct to the best of my information and belief.

Petitioner

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

In re:-

Mst. Wajeeha Shoaib Vs. Raheeb Qadri

(GUARDIAN PETITION)

APPLICATION FOR THE GRANT OF STAY ORDER.

Respectfully Sheweth; -

1. That the above titled petition has filed before this

Hon'ble Court in which no date of hearing has been
fixed as yet.

2. That the contents of the main petition may kindly be

read as an integral part of the said application.

3. That the petitioner is capable of providing better nourishment to the minor children.
4. That the petitioner has good *prima facie* and arguable case and there is every likelihood for his success.
5. That the balance of convenience lies in favour of the petitioner.
6. That if the interim relief is not granted as prayed for the petitioner as well as the minor would suffer irreparable loss and injury.

It is, therefore, most respectfully prayed that the respondent may very kindly be restrained from snatching the custody of the minor from the petitioner till the final decision of this petition.

Ad-interim injunctive order may also be passed.

Petitioner

Through

Advocate High Court

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

In re:-

Mst. Wajeeha Shoaib Vs. Raheeb Qadri

(GUARDIAN PETITION)

APPLICATION FOR THE GRANT OF STAY ORDER.

AFFIDAVIT OF: Mst. Wajeeha Shoaib daughter of Shoaib Iqbal Qadri, resident of House No.42, Street No. 3, Phase-II, Behira Town.

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying "Application" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

*Verified on Oath at Lahore this day ____ of December, 2023
which the contents of above affidavit are true and correct to the
best of my knowledge and belief and nothing has been
concealed therein.*

Deponent

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MST. UMME LAILA

Daughter of Syed Ghulam Kauser Bukhari resident of

Plaintiff

VERSUS

MUHAMMAD SAQLAIN HAIDER

*Son of Malik Ghulam Farid, Caste Malik Chohan, resident of
Mohallah Pilianwala, Jhang Sadar, Jhang.*

Defendant

**SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA.**

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant in the year 2006 according to Muslim Rites and Sunnah. Nikkah Nama is possession of defendant, affidavit in this regard is attached.
- 2- That out of this wedlock three children (1) Muhammad Arham Hussain, (2) Dua Zahra (3) Muhammad Faiz Hassan were born, who are in custody of the defendant.
- 3- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff as maintenance allowance.

- 4- That the defendant is cruel temperament person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 5- That _____, the defendant after giving her severs beating, and snatching all her belongings, including the ornaments, the defendant ousted the plaintiff from his house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address.
- 6- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.

- 7- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.

- 8- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house and finally when the defendant flatly refused to listen the request of the plaintiff and the same is still continue.

- 9- That the plaintiff is residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.

- 10- That the prescribed court fee has been affixed on the plaint.

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be

passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

Through:

Basharat Hussain
Advocate High Court
Aiwan-e-Adal, Lahore.

VERIFICATION:

Verified on Oath at this day of January, 2024 that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Umme Laila **Vs.** Muhammad Saqlain Haider

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

SCHEDULE OF WITNESSES:

- 1.
- 2.
3. Plaintiff herself.

All the witnesses shall support the averments of the plaint and version of the plaintiff.

Plaintiff

Through:

Basharat Hussain
Advocate High Court
Aiwan-e-Adal, Lahore.

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Umme Laila **Vs.** Muhammad Saqlain Haider

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

AFFIDAVIT FOR NON-AVAILABILITY OF NIKKAH NAMA.

AFFIDAVIT OF: Mst. Umme Laila daughter of

*I the above named deponent do hereby solemnly affirm and
declare as under:*

*That the plaintiff married to the defendant, Nikkah Nama is in
possession of defendant, the plaintiff is swearing this affidavit for
obtaining Khula.*

DEPONENT

VERIFICATION:

Verified on Oath at Lahore this *day of January, 2024* that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

DEPONENT

IN THE COURT OF

LEARNED JUDGE FAMILY COURT, LAHORE.

In re:-

Sumaira Saeed etc.
Vs.
Mohsin Ali

**(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE, RECOVERY OF DOWRY
ARTICLES, RECOVERY OF DELIVERY CHARGES)**

WRITTEN STATEMENT ON BEHALF OF THE DEFENDANT.

Respectfully Sheweth:-

PRELIMINARY OBJECTIONS:-

1. That earlier plaintiff No.1 filed same suit "Sumaira Saeed etc. Vs. Mohsin Ali" suit was filed before the court of Syeda Mahpara, learned Judge Family Court, Ferozewala, District Sheikhupura and same has been decided, further vide order dated 14.11.2023 the suit of plaintiff No.1 to the extent of dowry articles was dismissed in the light of compromise, while Rs.7,500/- maintenance allowance for each is always paid by defendant.

2. That the dowry articles have been taken by the plaintiff No.1 in presence of her family members, relatives and witnesses on the basis of compromise in as narrated above.
3. That the instant suit has been filed with malafide intention ulterior motives and extraneous consideration just for blackmailing and to harass the defendant.
4. That the plaintiff No.1 has no cause of action therefore, the suit cannot proceed further.
5. That the suit is not maintainable in its present form.
6. That the plaintiff No.1 has no locus standi to file the present suit, therefore, the suit is liable to be dismissed.
7. That the suit has been filed in order to blackmail and humiliate the answering defendant.

ON FACTS:-

1. Para No.1 is admitted to the extent of marriage, it is further submitted that all the dowry articles have been taken in the previous suit as narrated above on the basis of compromise.
2. Para No.2 is admitted to the extent of birth of minor, while the delivery expenses were endured by defendant himself.
3. Para No.3 is incorrect hence denied. It is specifically mentioned it was plaintiff No.1 who used to quarrel with the defendant on petty household matter, the defendant always treated plaintiff No.1 with love and affection, plaintiff No.1 proved to be stubborn and barbaric nature lady, now plaintiff No.1 is misleading this Honourable Court. Plaintiff No.1 herself left the house.
4. Para No.4 is totally incorrect and denied. The dowry articles have been taken on the basis of compromise in suit titled as "Sumaira Saeed etc. Vs. Mohsin Ali" suit was filed before the court of Syeda Mahpara, learned judge Family Court, Ferozewala, District Sheikhupura vide order dated 14.11.2023. The suit of plaintiff No.1 to the extent of dowry articles was dismissed in the light of compromise, while Rs.7,500/- maintenance allowance for each minor is always paid by defendant. The FIR was got lodged after taking the dowry articles by the plaintiff No.1 and her family members, because they committed cognizable offence. The FIR was to be withdrawn/discharged, the plaintiff No.1 party intentionally got bail and complicated, while compromise was effected and even suit was also dismissed to the

extent of dowry articles. The whole story in this Para is false and bogus. The dowry articles have been taken on the basis of compromise in suit titled as "Sumaira Saeed etc. Vs. Mohsin Ali" suit was filed before the court of Syeda Mahpara, learned judge Family Court, Ferozewala, District Sheikhupura vide order dated 14.11.2023. The suit of plaintiff No.1 to the extent of dowry articles was dismissed in the light of compromise, while Rs.7,500/- maintenance allowance for each minor is always paid by defendant. The FIR was got lodged after taking the dowry articles by the plaintiff No.1 and her family members, because they committed cognizable offence. The FIR was to be withdrawn/discharged, the plaintiff No.1 party intentionally got bail and complicated, while compromise was effected and even suit was also dismissed to the extent of dowry articles. The whole story in this Para is false and bogus.

5. The divorce was effected as per wish and will of plaintiff No.1.
6. Para No.6 is totally incorrect and denied. The dowry articles have been taken. Detailed reply is given above.
7. Para No.7 is totally incorrect and denied. The defendant has no such income, defendant is unable to pay such huge maintenance allowance.
8. Para No.8 is totally incorrect and denied. The plaintiffs have no cause of action to file present suit.
9. Legal.
10. Legal.

Prayer is also denied.

Under the circumstances it is, most respectfully prayed that the suit of the plaintiff No.1 may kindly be dismissed.

Defendant

Through

Mian Muhammad Arshad Iqbal
Advocate High Court
Lawyers Chamber No. 152,
District Courts, Lahore.

VERIFICATION:-

Verified on Oath at Lahore, this ____ day of February, 2024 that the contents of the above written statement from Paras No.1 to 7 are true and correct to the best of my knowledge and rest of the Paras No.8 to 10 with preliminary objections correct to the best of my information and belief.

Defendant

IN THE COURT OF

LEARNED JUDGE FAMILY COURT, LAHORE.

In re:-

Sumaira Saeed etc.

Vs.

Mohsin Ali

**(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE, RECOVERY OF DOWRY
ARTICLES, RECOVERY OF DELIVERY CHARGES)**

WRITTEN STATEMENT ON BEHALF OF THE DEFENDANT.

SCHEDULE OF WITNESSES

1-

2-

3- Defendant himself.

ALL THE WITNESSES will support the version of the defendant.

Defendant

Through

Mian Muhammad Arshad Iqbal
Advocate High Court
Lawyers Chamber No.152,
District Courts, Lahore.

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

Guardian Petition No. _____ /2024

Mst. Sumaira Sabir daughter of Shabbir Ahmed, resident of House No.7, Bismillah Street, Mayo Colony, Ramzan Chowk, Chungi Amar Sadhu, Lahore.

Petitioner

V E R S U S

Muhammad Sabir son of Abdul Rasheed, resident of Street No.8, Tataly Wali Road, Mohallah Habibpura, Kamonki, District Gujranwala.

Respondent

**PETITION UNDER SECTION 25 & 7 OF GUARDIAN & WARDS ACT 1890 FOR THE
PERMANENT CUSTODY OF Minors**

- 1. _____ Muhammad Rohan Sabir date of birth 23.09.2015**
- 2. _____ Muhammad Suleman Sabir date of birth 27.12.2017**

Respectfully Sheweth:-

- 1. That the brief facts of the Guardian Petition are that the petitioner married to the respondent in accordance to Muslim Rites on 11.10.2014.**

2. That out of this lawful wedlock minors namely Muhammad Rohan Sabir & Muhammad Suleman Sabir were born who are alive and presently is in the custody of petitioner.
3. That the petitioner seeks the permanent custody of the minors on the following amongst other:-

GROUNDs

- a. That the respondent many timed attempted murderous attack upon petitioner for killing her many applications have been moved against him, so if the respondent will snatch the minors their live would be at stake.
 - b. That the respondent is unable to provide proper attention, education, feed, medication to the minors, resultantly the future of minors ward would definitely be insecure.
 - c. That the petitioner being the real mother of the minors has a preferential right to Hazanat.
 - d. That the welfare and interests of the minors lie with the petitioner and if the custody of the minors is not permanently handed over/ remained with the petitioner, the minors ward will suffer mentally and physically.
 - e. That in whole of the world there is no alternate of mother for minors.
 - f. That the petitioner and minors from the first breath of minors are affiliated and united to each other.
 - g. That it is settled law the lap of mother is lap of God.
 - h. That the petitioner has great love and affection with minors.
 - i. That the petitioner and minors both cannot be separated from each other.
4. That a week before the respondent tried to snatch the custody of the minors from the petitioner, but due to severe resistance of the petitioner and other respectable persons the respondent failed to do and he is adamant to remove the custody of the minors from petitioner, hence this petition.

5. That the cause of action arose when the respondent started his illegal activities secondly when the respondent tried to snatch the custody of the minors from the petitioner and the same cause of action is still continuous.
6. That the petitioner alongwith minors is residing at Lahore, cause of action accrued at Lahore, hence, this Hon'able Court has got jurisdiction to adjudicate upon the matter.
7. That the requisite court fee has been affixed upon the petition.

PRAYER

UNDER THE ABOVE CIRCUMSTANCES, it is, therefore, most respectfully prayed that the petitioner may very kindly be appointed as guardian of the minors and permanent custody of the minors may kindly be remained with petitioner.

It is further prayed that the respondent may kindly be restrained from snatching the custody of the minors from the lawful custody of the petitioner.

Any other relief which this Hon'able Court deems fit may also be awarded.

Petitioner

Through

Muhammad Tahir Alvi
Advocate High Court
41-A Lower Mall, Lahore.

VERIFICATION

Verified on Oath at Lahore, this ____ day of April, 2024 that the contents of the above petition from Paras No.1 to 4 are true and correct to the best of my

*knowledge and rest of the Paras No.5 to 7 correct to the best of my information
and belief.*

Petitioner

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

In re:-

Mst. Sumaira Sabir Vs. Muhammad Sabir

(GUARDIAN PETITION)

APPLICATION FOR THE GRANT OF STAY ORDER.

Respectfully Sheweth;:-

1. That the above titled petition has filed before this Hon'ble Court in which no date of hearing has been fixed as yet.
2. That the contents of the main petition may kindly be read as an integral part of the said application.
3. That the petitioner is capable of providing better nourishment to the minors children.
4. That the petitioner has good *prima facie* and arguable case and there is every likelihood for his success.
5. That the balance of convenience lies in favour of the petitioner.
6. That if the interim relief is not granted as prayed for the petitioner as well as the minors would suffer irreparable loss and injury.

It is, therefore, most respectfully prayed that the respondent may very kindly be restrained from snatching the custody of the minors from the petitioner till the final decision of this petition.

Ad-interim injunctive order may also be passed.

Petitioner

Through

Muhammad Tahir Alvi

Advocate High Court

41-A Lower Mall, Lahore.

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

In re:-

Mst. Sumaira Sabir Vs. Muhammad Sabir

(GUARDIAN PETITION)

APPLICATION FOR THE GRANT OF STAY ORDER.

AFFIDAVIT OF:

*Mst. Sumaira Sabir daughter of Shabbir Ahmed,
resident of House No.7, Bismillah Street, Mayo Colony,
Ramzan Chowk, Chungi Amar Sadhu, Lahore.*

I the above named deponent do hereby solemnly affirm and declare as
under:

That the contents of accompanying "Application" are true and correct to the
best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

*Verified on Oath at Lahore this day _____ of April, 2024 which the
contents of above affidavit are true and correct to the best of my
knowledge and belief and nothing has been concealed therein.*

Deponent

IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS OF JUDGE
FAMILY COURT, LAHORE.
(Model Town Courts, Lahore)

1. *Mst. Sumaira Sabir daughter of Shabbir Ahmed, resident of House No.7, Bismillah Street, Mayo Colony, Ramzan Chowk, Chungi Amar Sadhu, Lahore.*
2. *Muhammad Rohan Sabir date of birth 23.09.2015 son of Muhammad Sabir*
3. *Muhammad Suleman Sabir date of birth 27.12.2017 son of Muhammad Sabir
(Minors through real mother plaintiff No.1)*

Plaintiffs

V E R S U S

Muhammad Sabir son of Abdul Rasheed, resident of Street No.8, Tataly Wali Road, Mohallah Habibpura, Kamonki, District Gujranwala.

Defendant

SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA, RECOVERY OF MAINTENANCE ALLOWANCE AND RECOVERY OF DOWRY ARTICLES AS PER LIST APPENDED WITH PLAINT OR ITS ALTERNATIVE AMOUNT OF RS.624,500/-.

Respectfully Sheweth:-

1. That tersely the facts necessitating for the filing of instant Family Suit are that plaintiff No.1 married to the defendant on 11.10.2014 in accordance with the Muslim Rites. Dower amount was fixed Rs.5000/- which is paid. It is suffice to mention here that at the time of marriage the parents of plaintiff No.1 gave precious and valuable dowry articles and gold ornaments amounting to Rs.624,500/- to plaintiff No.1, which are in the custody of the defendant. Copies of Nikahnama and list of dowry articles are attached herewith.
2. That out of this wedlock plaintiffs No.2&3 were born, who are residing with plaintiff No.1 and plaintiff No.1 is enduring all the expenses of feed, cloths, medication etc. Plaintiff No.2 is studying in two class, plaintiff No.3 is student of play group their monthly fee is Rs.3000/- per month.
3. That after marriage for some time relations between the parties remained cordial but later on the defendant changed his attitude and started to quarrel with plaintiff No.1 on petty household matters and also started to beat and maltreat plaintiff No.1 and made her life miserable. The defendant many times caused murderous attack upon plaintiff No.1 many applications have been submitted against him in police station.
4. That six months ago, the defendant deserted plaintiff No.1 from his house in three wearing clothes after snatching the dowry articles and golden ornaments belonging to plaintiff No.1 and since then the plaintiffs are residing in the house of her parents.
5. That during this whole period of desertion, the defendant did not bother to visit the parental house of plaintiff No.1 to see the plaintiffs and did not pay a single penny to the plaintiffs as maintenance, as under the law it is the duty and obligation of the defendant to maintain the plaintiffs.
6. That the defendant is man of means and he is boucher by profession beef and chick he is earning a handsome and attractive amount more than Rs.150,000/- per month, but he ignored his obligations and avoided to maintain the plaintiffs. It is the legal right of plaintiffs to demand the maintenance at the rate of Rs.20,000/- per month each with 10% increase annually in future from the defendant.
7. That plaintiff No.1 numerously approached the defendant and requested him to pay the maintenance allowance at the above said

rate and return the dowry articles as per list appended with plaint but the defendant postponed the matter of payment of maintenance allowance upon one pretext or the other.

8. That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, hatred has been developed in the heart of plaintiff No.1 against defendant and she prefers death as compare to live with defendant and there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by law, therefore, plaintiff No.1 seeks dissolution of marriage on the basis of Khula.
9. That the defendant has been asked by plaintiff No.1, through her parents, that he may divorce plaintiff No.1, but he has paid no heed to it and a week earlier he has refused to do so, hence this suit.
10. That the cause of action arose in favour of the plaintiff and against the defendant firstly when the defendant kicked out plaintiff No.1 from his house and lastly when the defendant refused to pay the maintenance to the plaintiffs Rs.20,000/- per month each and also refused to return the dowry articles and the same is still continuing.
11. That the plaintiffs are residing at Lahore and the cause of action also accrued at Lahore, hence this Hon'able Court has got the jurisdiction to adjudicate the matter.
12. That the requisite court fee has been affixed upon the plaint.

PRAYER:

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of plaintiff No.1 and against the defendant.

It is further prayed that a decree of recovery of maintenance allowance @ Rs.20,000/- per month (each plaintiff) may very kindly be passed in favour of the plaintiffs against the defendant with 10% increase annually to meet the ends of justice.

It is further prayed that a decree for the past maintenance allowance @ Rs.20,000/- per month each plaintiff from expulsion to upto now may kindly be passed in favour of the plaintiffs and against the defendant.

It is further prayed that the defendant may kindly be directed to pay Rs.20,000/- per month to each plaintiff, as an interim maintenance allowance till the final disposal of the main suit.

It is also further prayed that a decree for recovery of dowry articles as per list appended with plaint or its alternative amount of Rs.624,500/- as per list appended with plaint may very kindly be passed in favour of plaintiff No.1 and against the defendant.

Any other relief which this Hon'able Court deems fit and proper may also kindly be awarded.

Plaintiffs
Through

Muhammad Tahir Alvi
Advocate High Court
41-A Lower Mall, Lahore.

VERIFICATION:

Verified on Oath at Lahore, this day of April, 2024 that the contents of the above plaint from Paras No.1 to 9 are true and correct to the best of my knowledge and rest of the Paras No.10 to 12 are correct to the best of my information and belief.

Plaintiffs

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS OF JUDGE
FAMILY COURT, LAHORE.**

In re:

Mst. Sumaira Sabir etc. Vs. Muhammad Sabir

(SUIT FOR DISSOLUTION OF MARRIAGE ETC)

SCHEDULE OF WITNESSES:

- 1. Muhammad Sabir son of Abdul Rasheed**
 - 2. Muhammad Zuhaib Latif son of Abdul Latif**
 - 3. Plaintiff No.1 herself.**

All the witnesses shall support the version of the plaintiff.

Plaintiffs

Through

Muhammad Tahir Alvi

Advocate High Court

41-A Lower Mall, Lahore.

IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS OF JUDGE
FAMILY COURT, LAHORE.

In re:

Mst. Sumaira Sabir etc. Vs. Muhammad Sabir

(SUIT FOR DISSOLUTION OF MARRIAGE ETC)

APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT, 1964 FOR THE
GRANT OF INTERIM MAINTENANCE ALLOWANCE.

Respectfully Sheweth:-

1. That the petitioners have filed the above titled suit in this Honourable Court in which no date of hearing has yet been fixed.
2. That the contents of the suit may kindly be read as an integral part and parcel of this application.
3. That petitioners have a good *prima facie* case in their favour and the suit is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioners and against the respondent.
5. That if the interim relief as prayed for is not granted, the petitioners shall suffer irreparable loss and injury.

Under the above circumstances it is, therefore, most respectfully prayed that the respondent may kindly be directed to pay interim maintenance allowance @ Rs.20,000/- per month to the each petitioner till the final decision of the suit.

Petitioners

Through

Muhammad Tahir Alvi
Advocate High Court
41-A Lower Mall, Lahore.

IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS OF JUDGE
FAMILY COURT, LAHORE.

In re:

Mst. Sumaira Sabir etc. Vs. Muhammad Sabir

(SUIT FOR DISSOLUTION OF MARRIAGE ETC)

APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT, 1964 FOR THE
GRANT OF INTERIM MAINTENANCE ALLOWANCE.

AFFIDAVIT OF:

*Mst. Sumaira Sabir daughter of Shabbir Ahmed,
resident of House No.7, Bismillah Street, Mayo Colony,
Ramzan Chowk, Chungi Amar Sadhu, Lahore.*

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this _____ day of April, 2024 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

Deponent

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

Mst. Barbara daughter of

Plaintiff

V E R S U S

Jason son of

Defendant

**SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA,
RECOVERY OF MAINTENANCE ALLOWANCE AND RECOVERY OF
DOWRY ARTICLES.**

Respectfully Sheweth:-

1. That tersely the facts necessitating for the filing of instant family suit are that the

plaintiff married to defendant on _____ in accordance with the Muslim Rites & Rituals. It is pertinent to mention here that at the time of marriage the parents of the plaintiff gave dowry articles and gold ornaments amounting to Rs.306,200/-, which are in the illegal custody of the defendant. Copy of Nikahnama and list of dowry articles is attached herewith.

2. That out of this wedlock no issue born.
3. That from the very beginning of marriage, it transpired upon the plaintiff that the defendant is barbaric nature and quarrelsome person and whenever the plaintiff raised objection and demonstration regarding the activities of the defendant, the defendant started to beat the plaintiff and made her life miserable. The defendant miserably failed to provide maintenance allowance to the plaintiff.
4. That _____, the defendant kicked out the plaintiff from his house in three wearing clothes and

snatched all of the dowry articles and golden ornaments and other belongings of the plaintiff and since then the plaintiff is residing in the house of her parents.

5. That during this whole period of desertion, the defendant did not bother to visit the parental house of the plaintiff to see the plaintiff and did not pay even a single penny to the plaintiff as maintenance allowance, as under the law it is the duty and obligation of the defendant to maintain the plaintiff.
6. That the defendant is a property dealer and he is earning a handsome and attractive amount more than Rs.80,000/- per month, but he ignored his obligations and avoided to maintain the plaintiff. It is the legal right of plaintiff to demand the maintenance at the rate of Rs.20,000/- per month with 10% increase annually in future from the defendant.

7. That the plaintiff many times approached the defendant and requested him to the pay the maintenance allowance at the above said rate and return the dowry articles as per list appended with plaint but the defendant postponed the matter from one pretext or the other.

8. That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by law, great hatred has been developed in the heart and soul of plaintiff against defendant and the plaintiff prefers death as to live with defendant, therefore, the plaintiff seeks dissolution of marriage on the basis of Khula.

9. That the defendant has been asked by the plaintiff, through her parents, that he may

divorce the plaintiff, but he has paid no heed to it and a week earlier he has refused to do so, hence this suit.

10. That the cause of action arose in favour of the plaintiff and against the defendant firstly when the defendant kicked out the plaintiff from his house and lastly when the defendant refused to pay the maintenance to the plaintiff Rs.20,000/- per month and the same is still continuing.
11. That the plaintiff is residing at Lahore and the cause of action also accrued at Lahore, hence this Hon'able Court has got the jurisdiction to adjudicate the matter.
12. That the requisite court fee has been affixed upon the plaint.

PRAYER:

Under the submissions made above, it is most respectfully prayed that a decree of Dissolution of marriage on the basis of Khula may kindly be

passed in favour of the plaintiff and against the defendant.

It is further prayed that a decree for recovery of maintenance allowance @ Rs.20,000/- per month (plaintiff) may very kindly be passed in favour of the plaintiff against the defendant with 10% increase annually to meet the ends of justice.

It is further prayed that a decree for the past maintenance allowance @ Rs.20,000/- per month from _____ to upto now may kindly be passed in favour of the plaintiff and against the defendant.

It is further prayed that the defendant may kindly be directed to pay Rs.20,000/- per month to the plaintiff as an interim maintenance allowance till the final disposal of the main suit.

It is further prayed that a decree for recovery of dowry articles as per list appended with plaint or its alternative amount of Rs.306,200/- may kindly be passed in favour of the plaintiff and against the defendant, in the interest of justice.

*Any other relief which this Hon'able Court
deems fit and proper may also kindly be awarded.*

Plaintiff

Through

*Advocate High Court
Awan-e-Adal, Lahore.*

VERIFICATION:

Verified on Oath at Lahore, this day of July, 2023
that the contents of the above plaint from Paras 1 to 7
are true and correct to the best of my knowledge and
rest of the Paras 8 to 10 are correct to the best of my
information and belief.

Plaintiff

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Barbara **Vs.** *Jason*

(SUIT FOR _____)

SCHEDULE OF WITNESSES:

- 1.
- 2.
3. **Plaintiff herself.**

All the witnesses shall support the
version of the plaintiff.

Plaintiff

Through

*Advocate High Court
Awan-e-Adal, Lahore.*

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Barbara **vs.** *Jason*

(SUIT FOR _____)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT,
1964 FOR THE GRANT OF INTERIM MAINTENANCE
ALLOWANCE.**

Respectfully Sheweth:-

1. That the petitioner has filed the above titled suit in this Honourable Court in which no date of hearing has yet been fixed.
2. That the contents of the suit may kindly be read as an integral part and parcel of this application.
3. That petitioner has a good *prima facie* case in her favour and the suit is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioner and against the respondent.
5. That if the interim relief as prayed for is not granted, the petitioner shall suffer irreparable loss and injury.

***Under the above circumstances it is, therefore,
most respectfully prayed that the respondent may
kindly be directed to pay interim maintenance
allowance @ Rs.20,000/- per month to the petitioner till
the final decision of the suit.***

Petitioner

Through

Counsel

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Barbara **vs.** *Jason*

(SUIT FOR _____)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT,
1964 FOR THE GRANT OF INTERIM MAINTENANCE
ALLOWANCE.**

AFFIDAVIT OF:

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this day of July, 2023 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

Deponent

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

1. *Mst. Barbara daughter of*
2. *Ahmed Ali date of birth _____ son of Jason*
(Minors through real mother plaintiff No.1)

Plaintiffs

V E R S U S

Jason son of

Defendant

SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE.

Respectfully Sheweth:-

1. That tersely the facts necessitating for the filing of instant Family Suit are that plaintiff No.1 married to the defendant on _____ in accordance with the Muslim Rites. Copy of Nikahnama is attached herewith.
2. That out of this wedlock plaintiffs No.____ was/were born, who is/are residing with plaintiff No.1 and plaintiff No.1 is enduring all the expenses of feed, cloths, medication etc.
3. That after marriage for some time relations between the parties remained cordial but later on the defendant changed his attitude and started quarrel with plaintiff No.1 on petty household

matters and also started to beat and maltreat plaintiff No.1 and made her life miserable.

4. That _____, the defendant deserted plaintiff No.1 from his house in three wearing clothes after snatching the dowry articles and golden ornaments belonging to plaintiff No.1 and since then plaintiff No.1 is residing in the house of her parents.

5. That during this whole period of desertion, the defendant did not bother to visit the parental house of plaintiff No.1 to see the plaintiffs and did not pay a single penny to the plaintiffs as maintenance, as under the law it is the duty and obligation of the defendant to maintain the plaintiffs.

6. That the defendant is man of means and he is earning a handsome and attractive amount more than Rs.100,000/- per month, but he ignored his obligations and avoided to maintain the

plaintiffs. It is the legal right of plaintiffs to demand the maintenance at the rate of Rs.10,000/- per month each with 10% increase annually in future from the defendant.

7. That plaintiff No.1 numerously approached the defendant and requested him to pay the maintenance allowance at the above said rate but the defendant postponed the matter of payment upon one pretext or the other.
8. That the cause of action arose in favour of the plaintiff and against the defendant firstly when the defendant kicked out plaintiff No.1 from his house and lastly when the defendant refused to pay the maintenance to the plaintiffs Rs.10,000/- per month each and the same is still continuing.
9. That the plaintiffs are residing at Lahore and the cause of action also accrued at Lahore, hence this Hon'able Court has got the jurisdiction to adjudicate the matter.

10. That the requisite court fee has been affixed upon the plaint.

PRAYER:

In view of the above submissions, it is therefore, most respectfully prayed that a decree for recovery of maintenance allowance @ Rs.10,000/- per month (each plaintiff) may very kindly be passed in favour of the plaintiffs against the defendant with 10% increase annually to meet the ends of justice.

It is further prayed that a decree for the past maintenance allowance @ Rs.10,000/- per month from desertion to upto now may kindly be passed in favour of the plaintiffs and against the defendant.

It is further prayed that the defendant may kindly be directed to pay Rs.10,000/- per month to each plaintiff, as an interim maintenance allowance till the final disposal of the main suit.

*Any other relief which this Hon'able Court
deems fit and proper may also kindly be
awarded.*

Plaintiffs

Through

Miss Ainee
Advocate High Court

VERIFICATION:

Verified on Oath at Lahore, this day of December, 2023
that the contents of the above plaint from Paras 1 to 7
are true and correct to the best of my knowledge and
rest of the Paras 8 to 10 are correct to the best of my
information and belief.

Plaintiffs

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Barbara etc. Vs. Jason

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

SCHEDEULE OF WITNESSES:

1.

2.

3. Plaintiff No.1 herself.

All the witnesses shall support the version of the plaintiff.

Plaintiffs

Through

Miss Ainee
Advocate High Court

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Barbara etc. Vs. Jason

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT,
1964 FOR THE GRANT OF INTERIM MAINTENANCE
ALLOWANCE.**

Respectfully Sheweth:-

1. That the petitioners have filed the above titled suit in this Honourable Court in which no date of hearing has yet been fixed.
2. That the contents of the suit may kindly be read as an integral part and parcel of this application.
3. That petitioners have a good *prima facie* case in his favour and the suit is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioners and against the respondent.
5. That if the interim relief as prayed for is not granted, the petitioners shall suffer irreparable loss and injury.

***Under the above circumstances it is, therefore,
most respectfully prayed that the respondent may
kindly be directed to pay interim maintenance
allowance @ Rs.10,000/- per month to the each
petitioner till the final decision of the suit.***

Petitioners

Through

Miss Ainee
Advocate High Court

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Barbara etc. Vs. Jason

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT,
1964 FOR THE GRANT OF INTERIM MAINTENANCE
ALLOWANCE.**

AFFIDAVIT OF: *Mst. Barbara*

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this day of December, 2023 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

Deponent

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

Guardian Petition No. _____ /2024

Shehzad son of Anayat Ali, resident of House No.1/5, Ali Park, Bank Stop, Kamanhan Road, Tehsil Model Town, District Lahore.

Petitioner

V E R S U S

Nadia Bibi daughter of Shaukat Ali, resident of Bank Stop, Kamanhan Road, Tehsil Model Town, District Lahore.

Respondent

PETITION UNDER SECTION 25 OF GUARDIAN AND WARDS ACT 1890 FOR THE CUSTODY OF MINORS

Respectfully Sheweth:-

1. That the petitioner married to the respondent on 10.01.2019 according to Muslim Rites. During the subsistence of marriage the minors (1) Muhammad Haroon Shehzad (son) aged about 6-years (2) Abdul Rehman (son) aged about 4-1/2-years old were born, who are presently in the custody of respondent.
2. That the petitioner has a very much affection and inclination towards the minors being real father.
3. That the petitioner is entitled to have custody of said minors on following grounds amongst other;—

GROUNDS

- a. That the petitioner is the real father of the minors and as such he is the real and natural guardian of the minors.
- b. That the respondent contracted second marriage.
- c. That atmosphere of the respondent's home is not conducive and healthy for the minors' mental growth and psychological welfare and health of the minors.

- d. That atmosphere of respondent's home is indiscreet, improper non-religious and non conducive for proper upkeep and growth of the minors.
- e. That the petitioner being the father and natural guardian of the minors wants to look after minors in a proper way for which the petitioner is seeking custody.
- f. That there is a strong apprehension that due to respondent's careless and rude attitude, the minors will not be properly looked after by the respondent and it is in the welfare of the minors that custody of minors be handed over to the petitioner as father of minors as early as possible.
- g. That the petitioner is ready and willing to become the actual guardian of the minors if custody of minors is given to petitioner in the larger interest and welfare of the minors.
- h. That the petitioner has great love and affection with the minors being real father. So he wants to take custody of the minors. It is pertinent to mention here that the minors' growth is reportedly not properly developing due to

insufficient diet, improper medical treatment and improper look after.

- i. That the petitioner has time and again asked the respondent to handover the custody of the minors to the petitioner but the respondent has flatly refused to accede to the genuine request of the petitioner.
4. That the cause of action firstly accrued in favour of the petitioner and against the respondent when the respondent has flatly refused to handover the custody of the minors. The petitioner is not even allowed to have a meeting with the minors and the respondent finally refused to adhere the genuine and lawful request of petitioner, thus the cause of action is still continuing.
5. That the parties to the petition are residing at Lahore, cause of action has accrued at Lahore, hence this Hon'able Court has got jurisdiction to entertain the matter.
6. That the requisite court fee has been affixed on the plaint.

PRAYER:

Under the above said circumstances, it is most respectfully prayed that keeping in view the above alarming situation and welfare and future of the minors, the petition under hand may kindly be accepted and the custody of the minors may kindly be handed over permanently to the petitioner for proper and better welfare of minors keeping in view future of the minors.

It is further prayed that till the decision of this petition the respondent may kindly be directed to bring the minors in this Hon'able Court and the petitioner be

allowed to see/meet minors under the supervision of this Honourable Court and be restrained from removing the minors from the jurisdiction of this Honourable Court i.e. out of city.

Any other relief which this Hon'able Court deems fit may also be awarded.

Petitioner

Through

Rana Moaaz Hassan Khan
Advocate High Court
13-Fane Road, Lahore.

VERIFICATION:

Verified on Oath at Lahore, this day of January, 2024 that the contents of the above petition from Paras 1 to 3 are true and correct to the best of my knowledge and rest of the Paras 4 to 6 are correct to the best of my information and belief.

Petitioner

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

In re:

Shehzad **Vs.** Nadia Bibi

(PETITION UNDER SECTION 25 OF GUARDIAN AND WARDS ACT
1890)

Application: **UNDER SECTION 12 OF THE GUARDIANS AND
WARDS ACT FOR INTERIM CUSTODY OF THE
MINORS.**

Respectfully Sheweth;:-

1. That the petitioner has filed the accompanying petition under Section 25 of the Guardian & Wards Act in this Hon'able Court and the contents thereof may kindly be read and treated as an integral part of this application.
2. That because of in-conducive atmosphere, neglect and carelessness of the respondent towards the minors, not only the physical but mental health of the minors is in a very serious condition and there is strong apprehension of further deterioration of the minors if minors are not taken from custody of the respondent. That the petitioner is not being allowed to even see the minors.
3. That in order to protect the interest, welfare and well-being of the minors and for benefit of minors, the exigency of the case demands that interim custody of minors may be handed over to the petitioner for which this Hon'able Court has got prerogative.
4. That if the interim custody sought for, is not granted, it will be injurious and harmful for the minors to keep minors in the custody of the respondent till the decision of the main case.

5. That the petitioner has a good prima facie case in his favour and balance of convenience also lies in favour of the petitioner.
6. That if interim custody of the minors is not handed over to the petitioner, the petitioner as well as the minors would be bound to suffer an irreparable loss and injury.

In view of the submissions made above, it is respectfully prayed that interim custody of the minors may kindly be handed over to the petitioner/father till the decision of the main Guardian Petition in the interest of justice.

It is further prayed that the respondent may kindly be ordered to produce the minors before this Hon'able Court on each and every date of hearing for meeting with the petitioner.

It is also further prayed that the respondent may also be restrained from removing the minors from the TERRITORIAL JURISDICTION of this Hon'able Court till the decision of the case.

Petitioner

Through

Rana Moaaz Hassan Khan
Advocate High Court
13-Fane Road, Lahore.

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

In re:

Shehzad **Vs.** Nadia Bibi

(PETITION UNDER SECTION 25 OF GUARDIAN AND WARDS ACT
1890)

Application: **UNDER SECTION 12 OF THE GUARDIANS AND
WARDS ACT FOR INTERIM CUSTODY OF THE
MINORS.**

AFFIDAVIT OF: **Shehzad** son of Anayat Ali, resident of House
No.1/5, Ali Park, Bank Stop, Kamanhan Road,
Tehsil Model Town, District Lahore.

I the above named deponent do hereby solemnly affirm and
declare as under:

That the contents of accompanying "**Application**" are true and
correct to the best of my knowledge and belief and nothing has been
concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this day of January, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MST. BARBARA

Daughter of Muhammad _____ resident of

Plaintiff

VERSUS

JASON

Son of Muhammad _____ resident of

Defendant

**SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA.**

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant on _____ according to Muslim Rites and Sunnah. Copy of Nikkah Nama is attached for kind perusal.
- 2- That out of this wedlock no progeny born.
- 3- That at the time of marriage the parents of the plaintiff gave precious dowry articles to the plaintiff, which are in the possession of the defendant.
- 4- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff as maintenance allowance.

- 5- That the defendant is cruel temperament person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 6- That _____, the defendant after giving her severs beating, and snatching all her belongings, including the ornaments, the defendant ousted the plaintiff from his house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address.
- 7- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.

- 8- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.

- 9- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house and finally when the defendant flatly refused to listen the request of the plaintiff and the same is still continue.

- 10- That the **parties** to the suit are residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.

- 11- That the prescribed court fee has been affixed on the plaint.

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be

passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

Through:

Muhammad Tabsheer
Advocate High Court
Aiwan-e-Adal, Lahore.

VERIFICATION:

Verified on Oath at this day of December, 2023 that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Barbara **Vs.** Jason

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

SCHEDULE OF WITNESSES:

- 1.
- 2.
3. Plaintiff herself.

All the witnesses shall support the averments of the plaint and version of the plaintiff.

Plaintiff

Through:

Muhammad Tabsheer
Advocate High Court
Aiwan-e-Adal, Lahore.

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Barbara **Vs.** Jason

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

AFFIDAVIT FOR NON-AVAILABILITY OF NIKKAH NAMA.

AFFIDAVIT OF: Mst. Barbara daughter of

*I the above named deponent do hereby solemnly affirm and
declare as under:*

*That the plaintiff married to the defendant, Nikkah Nama is in
possession of defendant, the plaintiff is swearing this affidavit for
obtaining Khula.*

DEPONENT

VERIFICATION:

Verified on Oath at Lahore this ____ day of December, 2023 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

DEPONENT

**IN THE COURT OF MS. SOBIA SHAHNAWAZ, LEARNED JUDGE
FAMILY COURT, SIALKOT.**

In re:-

Salma Mumtaz etc. Vs. Syed Shamim Haider

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

**APPLICATION FOR SETTING ASIDE EX-PARTE
ORDER/PROCEEDINGS DATED 12.01.2023 JUDGMENT AND DECREE
DATED 07.02.2023.**

Respectfully Sheweth; -

1. That the brief facts of the instant application are that; -
 - i. That the above titled suit was ex parte decreed from this Honourable Court vide judgment and

decree dated 07.02.2023, now execution of the same is pending in the court of Ms. Iram Fatima, learned Family Judge, Ferozewala, District Sheikhupura and is fixed for 20.01.2024.

ii. That on 28.11.2023, it came in the knowledge of the applicant, that the respondent through fraud and misrepresentation has obtained the judgment and decree from this Honourable Court.

iii. That the ex-parte decree is liable to be set-aside on the following amongst other; -

GROUNDS

a. That the petitioner was never served any notice, summon or proclamation by this Hon'able Court, because the respondent/ plaintiff did not serve any notice to defendant just obtaining an ex-parte decree against the petitioner.

- b. That the plaintiff obtained the impugned decree fraudulently by this Hon'able Court due to non-serving of notice, hence is liable to be set-aside.
- c. That the impugned decree has been obtained by misrepresentation from this Hon'able Court, hence liable to be set-aside.
- d. That it is very settled law and the direction of the apex court are available that the cases should have been decided on merits instead of technicalities.
- e. That it is a fundamental right of the applicant/defendant to defend the present case in accordance with the law and facts which has not been added into the knowledge of this Hon'able Court, which should have been help and assist this court by deciding the matter on merits.

- f. That the applicant/defendant has a lot of material to present and submit before this Hon'able Court in his favour.
- g. That the applicant/defendant wants to submit his written reply and evidence to assist this Hon'able Court.
- h. That the applicant/defendant is ought to assist the court to help this Hon'able Court for having just and proper decision in this regard.
- i. That if the ex-parte decree is not set-aside the applicant/defendant shall suffer irreparable loss and injury.

PRAYER:

Under the above said circumstance it is therefore, most respectfully prayed that application may very kindly be accepted and ex-parte order dated 12.01.2023 may kindly be set-aside and the ex-parte judgment and decree dated 07.02.2023 may kindly be set-aside and the applicant be allowed to defend the suit in the interest of justice.

It is also prayed that the proceeding in the execution regarding the exparte judgment/decree dated 07.02.2023 and operation of judgment and decree dated 07.02.2023 may kindly be suspended/stayed in the interest of justice.

Any other relief which this Hon'able Court deems fit may also be awarded.

Applicant/defendant

Through

Syed Hassan Rizvi
Advocate High Court

Syed Muhammad Rizvi
Advocate High Court

Sheikh Irtaza
Advocate High Court

IN THE COURT OF MS. SOBIA SHAHNAWAZ, LEARNED JUDGE
FAMILY COURT, SIALKOT.

In re:-

Salma Mumtaz etc. Vs. Syed Shamim Haider

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

APPLICATION FOR SETTING ASIDE EX-PARTE
ORDER/PROCEEDINGS DATED 12.01.2023 JUDGMENT AND DECREE
DATED 07.02.2023.

AFFIDAVIT OF: *Syed Shamim Haider son of Syed Anwar Hussain Shah, resident of Rakh Bao Wali, Salamatpura, Post Office Muredke, District Sheikhupura.*

*I the above named deponent do hereby solemnly affirm and declare
as under:*

*That the contents of accompanying Application are true and correct to
the best of my knowledge and belief and nothing has been concealed
therein.*

Deponent

VERIFICATION:

Verified on Oath at Sialkot this 22nd day of December, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

IN THE COURT OF MS. SOBIA SHAHNAWAZ, LEARNED JUDGE
FAMILY COURT, SIALKOT.

In re:-

Salma Mumtaz etc. Vs. Syed Shamim Haider

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

(APPLICATION FOR SETTING ASIDE EX-PARTE JUDGMENT AND DECREE
DATED 14.02.2023)

APPLICATION FOR SUSPENSION OF OPERATION OF JUDGMENT AND
DECREE DATED 07.02.2023 AND FOR STAYING THE EXECUTION
PROCEEDINGS.

Respectfully Sheweth:-

1. That the applicant has filed the above titled application in this Honourable court.
2. That the contents of the main application may kindly be read as an integral part and parcel of this application.

3. That applicant has a good *prima facie* case in his favour and the same is likely to be succeeded.
4. That the balance of convenience lies in favour of the applicant and against the respondent.
5. That if the interim relief as prayed for is not granted, the applicant shall suffer irreparable loss and injury.

PRAAYER:

It is, therefore, most respectfully prayed that; -

- i. *That the execution proceedings against the applicant may kindly be stayed for the interest of justice.*
- ii. *Operation of the judgment and decree dated 07.02.2023 may very kindly be suspended.*
Ad-interim injunction may also be awarded.

Any other relief which this Honourable Court deems fit and proper may also be awarded.

Applicant/defendant

Through

Syed Hassan Rizvi
Advocate High Court

Syed Muhammad Rizvi
Advocate High Court

Sheikh Irtaza
Advocate High Court

IN THE COURT OF MS. SOBIA SHAHNAWAZ, LEARNED JUDGE
FAMILY COURT, SIALKOT.

In re:-

Salma Mumtaz etc. Vs. Syed Shamim Haider

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

(APPLICATION FOR SETTING ASIDE EX-PARTE JUDGMENT AND DECREE
DATED 14.02.2023)

APPLICATION FOR SUSPENSION OF OPERATION OF JUDGMENT AND
DECREE DATED 07.02.2023 AND FOR STAYING THE EXECUTION
PROCEEDINGS.

AFFIDAVIT OF: *Syed Shamim Haider son of Syed Anwar Hussain Shah, resident of Rakh Bao Wali, Salamatpura, Post Office Muredke, District Sheikhupura.*

*I the above named deponent do hereby solemnly affirm and declare
as under:*

*That the contents of accompanying Application are true and correct to
the best of my knowledge and belief and nothing has been concealed
therein.*

Deponent

VERIFICATION:

Verified on Oath at Sialkot this 22nd day of December, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

Guardian Petition No. _____ /2024

Mst. Sehrish Ali daughter of Muhammad Ali, resident of House No.8-A, Street No.9, Tajpura, Harbanspura, Cantt., Lahore.

Petitioner

V E R S U S

Shafaqat Ali son of Mukhtar Ahmed, resident of Street NO.11, Badar Colony, Hussain Road, Cantt., Lahore.

Respondent

**PETITION UNDER SECTION 25 & 7 OF GUARDIAN & WARDS ACT 1890 FOR THE
PERMANENT CUSTODY OF MINOR URWA DATE OF BIRTH 16.04.2023.**

Respectfully Sheweth:-

1. That the brief facts of the Guardian Petition are that the petitioner married to the respondent in accordance to Muslim Rites on 20.02.2022.
2. That out of this lawful wedlock minor namely *Urwa date of birth 16.04.2023* was born who is alive and presently is in the custody of petitioner.
3. That the petitioner seeks the permanent custody of the minor on the following amongst other:-

GROUNDS

- a. That the respondent is unable to provide proper attention, education, feed, medication to the minor, resultantly the future of minor ward would definitely be insecure.
- b. That the petitioner being the real mother of the minor has a preferential right to Hazanat.
- c. That the welfare and interests of the minor lie with the petitioner and if the custody of the minor is not permanently handed over/ remained with the petitioner, the minor ward will suffer mentally and physically.
- d. That in whole of the world there is no alternate of mother for minor.
- e. That the petitioner and minor from the first breath of minor are affiliated and united to each other.

- f. That it is settled law the lap of mother is lap of God.
 - g. That the petitioner has great love and affection with minor.
 - h. That the petitioner and minor both cannot be separated from each other.
4. That a week before the respondent tried to snatch the custody of the minor from the petitioner, but due to severe resistance of the petitioner and other respectable persons the respondent failed to do and he is adamant to remove the custody of the minor from petitioner, hence this petition.
5. That the cause of action arose when the respondent started his illegal activities secondly when the respondent tried to snatch the custody of the minor from the petitioner and the same cause of action is still continuous.
6. That the petitioner alongwith minor is residing at Lahore, cause of action accrued at Lahore, hence, this Hon'able Court has got jurisdiction to adjudicate upon the matter.
7. That the requisite court fee has been affixed upon the petition.

PRAYER

UNDER THE ABOVE CIRCUMSTANCES, it is, therefore, most respectfully prayed that the petitioner may very kindly be appointed as guardian of the minor and permanent custody of the minor may kindly be remained with petitioner.

It is further prayed that the respondent may kindly be restrained from snatching the custody of the minor from the lawful custody of the petitioner.

Any other relief which this Hon'able Court deems fit may also be awarded.

Petitioner

Through

Mushtaq Ahmed Khan

Advocate High Court

320-Dawood Atif Center,

Jain Mandar Chowk, Lahore.

VERIFICATION

*Verified on Oath at Lahore, this day of **March, 2024** that the contents of the above petition from Paras No.1 to 4 are true and correct to the best of my knowledge and rest of the Paras No.5 to 7 correct to the best of my information and belief.*

Petitioner

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

In re:-

Mst. Sehrish Ali Vs. Shafaqat Ali

(GUARDIAN PETITION)

APPLICATION FOR THE GRANT OF STAY ORDER.

Respectfully Sheweth;-

1. That the above titled petition has filed before this Hon'ble Court in which no date of hearing has been fixed as yet.
2. That the contents of the main petition may kindly be read as an integral part of the said application.
3. That the petitioner is capable of providing better nourishment to the minor children.
4. That the petitioner has good *prima facie* and arguable case and there is every likelihood for his success.
5. That the balance of convenience lies in favour of the petitioner.
6. That if the interim relief is not granted as prayed for the petitioner as well as the minor would suffer irreparable loss and injury.

It is, therefore, most respectfully prayed that the respondent may very kindly be restrained from snatching the custody of the minor from the petitioner till the final decision of this petition.

Ad-interim injunctive order may also be passed.

Petitioner

Through

Mushtaq Ahmed Khan

Advocate High Court

320-Dawood Atif Center,

Jain Mandar Chowk, Lahore.

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

In re:-

Mst. Sehrish Ali Vs. Shafaqat Ali

(GUARDIAN PETITION)

APPLICATION FOR THE GRANT OF STAY ORDER.

AFFIDAVIT OF:

Mst. Sehrish Ali daughter of Muhammad Ali, resident of House No.8-A, Street No.9, Tajpura, Harbanspura, Cantt., Lahore.

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying "Application" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this day ____ of March, 2024 which the contents of above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS OF JUDGE
FAMILY COURT, LAHORE.**

1. *Mst. Sehrish Ali daughter of Muhammad Ali, resident of House No.8-A, Street No.9, Tajpura, Harbanspura, Cantt., Lahore.*
2. *Urwa date of birth 16.04.2023 daughter of Shafaqat Ali (Minor through real mother plaintiff No.1)*

Plaintiffs

V E R S U S

Shafaqat Ali son of Mukhtar Ahmed, resident of Street NO.11, Badar Colony, Hussain Road, Cantt., Lahore.

Defendant

**SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE, RECOVERY OF DOWRY
ARTICLES AS PER LIST APPENDED WITH PLAINT OR ITS ALTERNATIVE AMOUNT
OF RS. _____ /- AND DELIVERY EXPENSES OF OF RS.120,000/- OF
PLAINTIFF NO.2.**

Respectfully Sheweth:-

1. That tersely the facts necessitating for the filing of instant Family Suit are that plaintiff No.1 married to the defendant on 20.02.2022 in accordance with the Muslim Rites. It is suffice to mention here that at the time of marriage the parents of plaintiff No.1 gave precious and valuable dowry articles and gold ornaments amounting to Rs. _____/- to plaintiff No.1, which are in the custody of the defendant. Copies of Marriage Registration Certificate and list of dowry articles are attached herewith.
2. That out of this wedlock plaintiff No.2 on 16.04.2023 was born, who is residing with plaintiff No.1 and plaintiff No.1 is enduring all the expenses of feed, cloths, medication etc. It is pertinent to mention here that the plaintiff No.2 was born at Nagina Hospital and parents of the plaintiff No.1 enduring all the medical/delivery expenses of plaintiff No.2. Copies of receipts are attached herewith.

3. That after marriage for some time relations between the parties remained cordial but later on the defendant changed his attitude and started to quarrel with plaintiff No.1 on petty household matters and also started to beat and maltreat plaintiff No.1 and made her life miserable.
4. That _____, the defendant deserted plaintiff No.1 from his house in three wearing clothes after snatching the dowry articles and golden ornaments belonging to plaintiff No.1 and since then the plaintiffs are residing in the house of her parents.
5. That during this whole period of desertion, the defendant did not bother to visit the parental house of plaintiff No.1 to see the plaintiffs and did not pay a single penny to the plaintiffs as maintenance, as under the law it is the duty and obligation of the defendant to maintain the plaintiffs.
6. That the defendant is man of means as the defendant is running a General Store/Mart and also doing job in CMH and his monthly income is more than Rs.25,00,000/- per month, but he ignored his obligations and avoided to maintain the plaintiffs. It is the legal right of plaintiffs

to demand the maintenance at the rate of Rs.500,000/- per month each with 10% increase annually in future from the defendant.

7. That plaintiff No.1 numerously approached the defendant and requested him to pay the maintenance allowance at the above said rate and return the dowry articles as per list appended with plaint and also pay delivery expenses of plaintiff No.2 but the defendant postponed the matter of payment of maintenance allowance upon one pretext or the other.
8. That the cause of action arose in favour of the plaintiffs and against the defendant firstly when the defendant kicked out plaintiff No.1 from his house and lastly when the defendant refused to pay the delivery expenses of Rs.120,000/-, maintenance to the plaintiffs Rs.500,000/- per month each and also refused to return the dowry articles and the same is still continuing.
9. That the plaintiffs are residing at Lahore and the cause of action also accrued at Lahore, hence this Hon'able Court has got the jurisdiction to adjudicate the matter.
10. That the requisite court fee has been affixed upon the plaint.

PRAYER:

In view of the above submissions, it is therefore, most respectfully prayed that a decree of recovery of maintenance allowance @ Rs.500,000/- per month (each plaintiff) may very kindly be passed in favour of the plaintiffs against the defendant with 10% increase annually to meet the ends of justice.

It is further prayed that a decree for the past maintenance allowance @ Rs.500,000/- per month each plaintiff from desertion to uptoil now may kindly be passed in favour of the plaintiffs and against the defendant.

It is further prayed that the defendant may kindly be directed to pay Rs.500,000/- per month to each plaintiff, as an interim maintenance allowance till the final disposal of the main suit.

It is also further prayed that a decree for recovery of dowry articles as per list appended with plaint or its alternative amount of Rs._____/- as per list appended with plaint may very kindly be passed in favour of plaintiff No.1 and against the defendant.

It is also further prayed that a decree for recovery of delivery expenses of plaintiff No.2 of Rs.120,000/- may very kindly be passed in favour of plaintiffs and against the defendant.

Any other relief which this Hon'able Court deems fit and proper may also kindly be awarded.

Plaintiffs

Through

Mushtaq Ahmed Khan
Advocate High Court

320-Dawood Atif Center,
Jain Mandar Chowk, Lahore.

VERIFICATION:

Verified on Oath at Lahore, this day of March, 2024 that the contents of the above
plaint from Paras No.1 to 9 are true and correct to the best of my knowledge and rest
of the Paras No.10 to 12 are correct to the best of my information and belief.

Plaintiffs

IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS OF JUDGE
FAMILY COURT, LAHORE.

In re:

Mst. Sehrish Ali etc. Vs. Shafaqat Ali

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE ETC)

SCHEDULE OF WITNESSES:

1. Plaintiff No.1 herself.

All the witnesses shall support the version of the plaintiff.

Plaintiffs

Through

Mushtaq Ahmed Khan

Advocate High Court
320-Dawood Atif Center,
Jain Mandar Chowk, Lahore.

IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS OF JUDGE
FAMILY COURT, LAHORE.

In re:

Mst. Sehrish Ali etc. Vs. Shafaqat Ali

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE ETC)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT, 1964 FOR THE
GRANT OF INTERIM MAINTENANCE ALLOWANCE.**

Respectfully Sheweth:-

1. That the petitioners have filed the above titled suit in this Honourable Court in which no date of hearing has yet been fixed.
2. That the contents of the suit may kindly be read as an integral part and parcel of this application.
3. That petitioners have a good *prima facie* case in their favour and the suit is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioners and against the respondent.
5. That if the interim relief as prayed for is not granted, the petitioners shall suffer irreparable loss and injury.

Under the above circumstances it is, therefore, most respectfully prayed that the respondent may kindly be directed to pay interim maintenance allowance @ Rs.500,000/- per month to the each petitioner till the final decision of the suit.

Petitioners

Through

Mushtaq Ahmed Khan
Advocate High Court
320-Dawood Atif Center,
Jain Mandar Chowk, Lahore.

IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS OF JUDGE
FAMILY COURT, LAHORE.

In re:

Mst. Sehrish Ali etc. Vs. Shafaqat Ali

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE ETC)

APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT, 1964 FOR THE
GRANT OF INTERIM MAINTENANCE ALLOWANCE.

AFFIDAVIT OF:

*Mst. Sehrish Ali daughter of Muhammad Ali, resident of
House No.8-A, Street No.9, Tajpura, Harbanspura,
Cantt., Lahore.*

I the above named deponent do hereby solemnly affirm and declare as
under:

That the contents of accompanying Application are true and correct to the
best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this _____ day of March, 2024 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

Deponent

IN THE COURT OF SENIOR GUARDIAN JUDGE LAHORE

With the powers of Judge Family Court Lahore.

Family Suit No. _____ /2023

Imran son of Muhammad _____, resident of

PLAINTIFF

V E R S U S

Mst. Barbara daughter of Muhammad _____, wife of
plaintiff resident of

DEFENDANT

SUIT FOR RESTITUTION OF CONJUGAL RIGHTS.

Respectfully Sheweth:

1. That the spouses married on _____ according to Muslim Rites & Rituals. Copy of Nikkah Nama is _____.
2. That out of this wedlock no issue was born.
3. That the plaintiff is giving a very decent care to his wife since the marriage was solemnized and always gave the honour to his wife and the demands of the defendant.
4. That from the very beginning both the spouses led matrimonial life very happily, the plaintiff also provided maintenance and fulfilled every demand of the defendant keeping in view his source of income.
5. That on _____, the defendant left the house of the plaintiff and took away _____ and the defendant did not come back upto till now. The plaintiff went to the house of the defendant's parents and requested them to send back the

defendant, but the parents of the defendant and defendant also refused to come back with the plaintiff and threatened for dire consequences.

6. That the plaintiff again approached to the defendant's parents alongwith some respectable of the family members for taking back the defendant, but the defendant's parents and defendant also again refused to accept the genuine demand of the plaintiff.
7. That the plaintiff has great love and affection with the defendant and he is ready to take back the defendant in his house at any cost.
8. That the cause of action firstly arose in favour of the plaintiff and against the defendant firstly when the defendant left the house of the plaintiff and finally when the defendant flatly refused to listen the genuine and lawful request of the plaintiff and the same still continues due to the refusal of the defendant.

9. That the plaintiff is residing at Lahore, cause of action also accrued at Lahore, hence this Hon'able Family Court has got jurisdiction to adjudicate upon the matter.
10. That the value of the suit for the purpose of court fee is fixed Rs.15/-.

It is, therefore, most respectfully prayed that a decree for restitution of conjugal rights may kindly be passed in favour of the plaintiff and against the defendant, directing her to join the plaintiff and perform her matrimonial obligations in the house of the plaintiff.

Any other relief which this Hon'able Court deems fit may also be awarded.

Plaintiff

Through

Muhammad
Advocate High Court
Aiwan-e-Adal, Lahore.

VERIFICATION:

Verified on Oath at Lahore, this day of July, 2023

that the contents of the above plaint from Paras No.1
to 7 are true and correct to the best of my knowledge
and rest of the Paras No.8 to 10 correct to the best of
my information and belief.

Plaintiff

IN THE COURT OF SENIOR GUARDIAN JUDGE LAHORE
With the powers of Judge Family Court Lahore.

Family Suit No. _____ /2023

In re:

Imran **Vs.** Mst. Barbara

(SUIT FOR RESTITUTION OF CONJUGAL RIGHTS)

SCHEDULE OF WITNESSES

1-

2-

3- Plaintiff himself.

All the witnesses will support the version of the plaintiff.

Plaintiff

Through

Muhammad

Advocate High Court
Aiwan-e-Adal, Lahore.

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

*Mst. Samra Tanzeel daughter of Ghulam Mustafa,
resident of House No.858/19 ,Street No.19,
Mohallah Sector UDHA, Phase-7, Lahore.*

Plaintiff

V E R S U S

*Nadar Khan son of Muhammad Ramzan, resident of
Makan Bagh, Mohallah Badshah Khan, Mingora,
Tehsil Babozai, District Swat.*

Defendant

**SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA
AND RECOVERY OF DOWER AMOUNT OF RS.50,00,000/-.**

Respectfully Sheweth:-

1. That the addresses of the parties are correctly been given on the head-note of petition which are sufficient for the purpose of notice/summons.
2. That the concise facts giving rise to present plaint are that the Nikkah of the plaintiff was solemnized with defendant in accordance with Muslim Rites on 10.09.2023. It is pertinent to mention here that the at the time of Nikkah dower amount of Rs.50,00,000/- was fixed which is still unpaid & 20-Tola gold or its alternative amount in case of divorce or Khula. Copy of Nikkah Nama is attached herewith for the kind perusal of this Honourable Court.
3. That the Rukhsati of the plaintiff was not got affected upto till now.

4. That soon after Nikah it came into the knowledge of the plaintiff that the defendant is already married, quarrelsome, and both families have great mental differences, the family of the defendant started to raise different illegal demands.

5. That plaintiff requested the defendant many a times to leave such nefarious activities and mend his ways but inspite of repeated requests result remained nill.

6. That due to the conduct and activities of the defendant severe hatred developed in the heart and mind of the plaintiff against the defendant and the plaintiff is not ready to join the defendant as his wife at any cost.

7. That plaintiff requested the defendant to divorce her and release her from the tie of marriage, but the defendant flatly refused to accede the genuine request of the plaintiff.
8. That the plaintiff again approached to the defendant alongwith respectable and requested the same but the defendant again flatly refused to accede the genuine request of the plaintiff, hence this suit.
9. That the cause of action firstly accrued in favour of the plaintiff and against the defendant when the Nikah was solemnized and secondly when it transpired to the plaintiff that the defendant is already married, quarrelsome person and lastly when the defendant refused to divorce the plaintiff. The cause of action is till continuous.

10. That the cause of action accrued here at Lahore and plaintiff is residing at Lahore, therefore, this court has got jurisdiction to entertain the matter.

11. That the prescribed Court fee has been affixed on the plaint.

PRAYER: -

It is, therefore, most respectfully prayed that a decree for dissolution of marriage may kindly be passed in favour of the plaintiff and against the defendant on the basis of Khula.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiffs

Through

Miss Ainee
Advocate High Court

VERIFICATION:

Verified on Oath at Lahore, this day of July, 2023 that the contents of the above plaint from Paras 1 to 7 are true and correct to the best of my knowledge and rest of the Paras 8 to 10 are correct to the best of my information and belief.

Plaintiffs

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Samra Tanzeel etc. Vs. Nadar Khan

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

SCHEDEULE OF WITNESSES:

1.

2.

3. Plaintiff herself.

All the witnesses shall support the version of the plaintiff.

Plaintiffs

Through

Miss Ainee
Advocate High Court

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Samra Tanzeel etc. Vs. Nadar Khan

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT,
1964 FOR THE GRANT OF INTERIM MAINTENANCE
ALLOWANCE.**

Respectfully Sheweth:-

1. That the petitioners have filed the above titled suit in this Honourable Court in which no date of hearing has yet been fixed.
2. That the contents of the suit may kindly be read as an integral part and parcel of this application.
3. That petitioners have a good *prima facie* case in his favour and the suit is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioners and against the respondent.
5. That if the interim relief as prayed for is not granted, the petitioners shall suffer irreparable loss and injury.

***Under the above circumstances it is, therefore,
most respectfully prayed that the respondent may
kindly be directed to pay interim maintenance
allowance @ Rs.10,000/- per month to the each
petitioner till the final decision of the suit.***

Petitioners

Through

Miss Ainee
Advocate High Court

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Samra Tanzeel etc. Vs. Nadar Khan

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT,
1964 FOR THE GRANT OF INTERIM MAINTENANCE
ALLOWANCE.**

AFFIDAVIT OF: *Mst. Samra Tanzeel*

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this day of July, 2023 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

Deponent

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MST. SAMRAH MUNIR

*Daughter of Munir Hussain, resident of House No.____, Kamran Block,
Allama Iqbal Town, Lahore.*

VERSUS

Plaintiff

MUNIR AHMED SHAD

Son of Ch. Muhammad Ibrahim, resident of _____

Defendant

SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA.

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant on 16.10.1992 according to Muslim Rites and Sunnah. Copy of Nikkah Nama is attached for kind perusal.
- 2- That out of this wedlock three children were born.
- 3- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff and her

children as maintenance allowance. The plaintiff has right to file the separate suit for recovery of maintenance allowance and her daughter wedding expenses and medical.

- 4- That the defendant is cruel temperament and greedy person and he always treated the plaintiff with habitual cruelty and illegal demands of money, and thus made the life of the plaintiff highly miserable and defendant also usurp the pension as well as insurance amount of the plaintiff.
- 5- That one year ago, the defendant left the house and snatching all her belongings, including the ornaments. Since then the plaintiff has been residing at the above mentioned address with her children in the rented house.
- 6- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead

a harmonious life in future, within the limits prescribed by Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.

- 7- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.
- 8- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant left the house and finally when the defendant flatly refused to listen the request of the plaintiff and the same is still continue.
- 9- That the parties to the suit are residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.
- 10- That the prescribed court fee has been affixed on the plaint.

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

Through:

Syed Imran Raza
Advocate High Court
Shah Jamal, Lahore.

VERIFICATION:

Verified on Oath at this day of March, 2024 that the contents of the Paras No.1 to 7 are true and correct to the best of my knowledge and belief and rest Paras No.8 to 10 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Samrah Munir **Vs.** Munir Ahmed Shad

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

SCHEDULE OF WITNESSES:

1. Saqlain Raza son of Munir Hussain, resident of Canal Garden, Lahore.
2. Plaintiff herself.

All the witnesses shall support the averments of the plaint and version of the plaintiff.

Plaintiff

Through:

Syed Imran Raza
Advocate High Court
Shah Jamal, Lahore.

IN THE COURT OF MS. SOBIA SHAHNAWAZ, LEARNED JUDGE
FAMILY COURT, SIALKOT.

In re:-

Salma Mumtaz etc. Vs. Syed Shamim Haider

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

APPLICATION FOR SETTING ASIDE EX-PARTE
ORDER/PROCEEDINGS DATED 12.01.2023 JUDGMENT AND DECREE
DATED 07.02.2023.

Respectfully Sheweth; -

1. That the brief facts of the instant application are
that; -

- i. That the above titled suit was ex parte decreed from this Honourable Court vide judgment and decree dated 07.02.2023, now execution of the same is pending in the court of Ms. Iram Fatima, learned Family Judge, Ferozewala, District Sheikhupura and is fixed for 20.01.2024.
- ii. That on 28.11.2023, it came in the knowledge of the applicant, that the respondent through fraud and misrepresentation has obtained the judgment and decree from this Honourable Court.
- iii. That the ex parte decree is liable to be set aside on the following amongst other; -

GROUNDS

- a. That the petitioner was never served any notice, summon or proclamation by this Hon'able Court, because the respondent/ plaintiff did not serve any notice to defendant just

obtaining an ex-parte decree against the petitioner.

- b. That the plaintiff obtained the impugned decree fraudulently by this Hon'able Court due to non-serving of notice, hence is liable to be set-aside.
- c. That the impugned decree has been obtained by misrepresentation from this Hon'able Court, hence liable to be set-aside.
- d. That it is very settled law and the direction of the apex court are available that the cases should have been decided on merits instead of technicalities.
- e. That it is a fundamental right of the applicant/defendant to defend the present case in accordance with the law and facts which has not been added into the knowledge of this Hon'able Court, which should have been help and

assist this court by deciding the matter on merits.

- f. That the applicant/defendant has a lot of material to present and submit before this Hon'able Court in his favour.
- g. That the applicant/defendant wants to submit his written reply and evidence to assist this Hon'able Court.
- h. That the applicant/defendant is ought to assist the court to help this Hon'able Court for having just and proper decision in this regard.
- i. That if the ex-parte decree is not set-aside the applicant/defendant shall suffer irreparable loss and injury.

PRAYER:

Under the above said circumstance it is therefore, most respectfully prayed that application may very kindly be accepted and ex-parte order dated 12.01.2023 may kindly be set-aside and the ex-parte judgment and decree dated 07.02.2023 may kindly be set-aside and the

applicant be allowed to defend the suit in the interest of justice.

It is also prayed that the proceeding in the execution regarding the ex parte judgment/decree dated 07.02.2023 and operation of judgment and decree dated 07.02.2023 may kindly be suspended/stayed in the interest of justice.

Any other relief which this Hon'able Court deems fit may also be awarded.

Applicant/defendant

Through

Syed Hassan Rizvi
Advocate High Court

Syed Muhammad Rizvi
Advocate High Court

Sheikh Irtaza
Advocate High Court

IN THE COURT OF MS. SOBIA SHAHNAWAZ, LEARNED JUDGE
FAMILY COURT, SIALKOT.

In re:-

Salma Mumtaz etc. Vs. Syed Shamim Haider

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

APPLICATION FOR SETTING ASIDE EX-PARTE
ORDER/PROCEEDINGS DATED 12.01.2023 JUDGMENT AND DECREE
DATED 07.02.2023.

AFFIDAVIT OF: *Syed Shamim Haider son of Syed Anwar Hussain Shah, resident of Rakh Bao Wali, Salamatpura, Post Office Muredke, District Sheikhupura.*

*I the above named deponent do hereby solemnly affirm and declare
as under:*

*That the contents of accompanying Application are true and correct to
the best of my knowledge and belief and nothing has been concealed
therein.*

Deponent

VERIFICATION:

Verified on Oath at Sialkot this 22nd day of December, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

IN THE COURT OF MS. SOBIA SHAHNAWAZ, LEARNED JUDGE
FAMILY COURT, SIALKOT.

In re:-

Salma Mumtaz etc. Vs. Syed Shamim Haider

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

(APPLICATION FOR SETTING ASIDE EX-PARTE JUDGMENT AND DECREE
DATED 14.02.2023)

APPLICATION FOR SUSPENSION OF OPERATION OF JUDGMENT AND
DECREE DATED 07.02.2023 AND FOR STAYING THE EXECUTION
PROCEEDINGS.

Respectfully Sheweth:-

1. That the applicant has filed the above titled application in this Honourable court.
2. That the contents of the main application may kindly be read as an integral part and parcel of this application.

3. That applicant has a good *prima facie* case in his favour and the same is likely to be succeeded.
4. That the balance of convenience lies in favour of the applicant and against the respondent.
5. That if the interim relief as prayed for is not granted, the applicant shall suffer irreparable loss and injury.

PRAAYER:

It is, therefore, most respectfully prayed that; -

- i. *That the execution proceedings against the applicant may kindly be stayed for the interest of justice.*
- ii. *Operation of the judgment and decree dated 07.02.2023 may very kindly be suspended.*
Ad-interim injunction may also be awarded.

Any other relief which this Honourable Court deems fit and proper may also be awarded.

Applicant/defendant

Through

Syed Hassan Rizvi
Advocate High Court

Syed Muhammad Rizvi
Advocate High Court

Sheikh Irtaza
Advocate High Court

IN THE COURT OF MS. SOBIA SHAHNAWAZ, LEARNED JUDGE
FAMILY COURT, SIALKOT.

In re:-

Salma Mumtaz etc. Vs. Syed Shamim Haider

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

(APPLICATION FOR SETTING ASIDE EX-PARTE JUDGMENT AND DECREE
DATED 14.02.2023)

APPLICATION FOR SUSPENSION OF OPERATION OF JUDGMENT AND
DECREE DATED 07.02.2023 AND FOR STAYING THE EXECUTION
PROCEEDINGS.

AFFIDAVIT OF: *Syed Shamim Haider son of Syed Anwar Hussain Shah, resident of Rakh Bao Wali, Salamatpura, Post Office Muredke, District Sheikhupura.*

*I the above named deponent do hereby solemnly affirm and declare
as under:*

*That the contents of accompanying Application are true and correct to
the best of my knowledge and belief and nothing has been concealed
therein.*

Deponent

VERIFICATION:

Verified on Oath at Sialkot this 22nd day of December, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

**IN THE COURT OF MS. SOBIA SHAHNAWAZ, LEARNED JUDGE
FAMILY COURT, SIALKOT.**

In re:-

Salma Mumtaz etc. Vs. Syed Shamim Haider

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

**APPLICATION FOR SETTING ASIDE EX-PARTE
ORDER/PROCEEDINGS DATED 12.01.2023 JUDGMENT AND DECREE
DATED 07.02.2023.**

Respectfully Sheweth; -

1. That the brief facts of the instant application are that; -

i. That the above titled suit was ex parte decreed from this Honourable Court vide judgment and decree dated 07.02.2023, now execution of the same is pending in the court of Ms. Iram Fatima, learned Family Judge, Ferozewala, District Sheikhupura and is fixed for 20.01.2024.

ii. That on 28.11.2023, it came in the knowledge of the applicant, that the respondent through fraud and misrepresentation has obtained the judgment and decree from this Honourable Court.

iii. That the ex parte decree is liable to be set aside on the following amongst other; -

GROUNDS

a. That the petitioner was never served any notice, summon or proclamation by this Hon'able Court, because the respondent/ plaintiff did

not serve any notice to defendant just obtaining an ex-parte decree against the petitioner.

- b. That the plaintiff obtained the impugned decree fraudulently by this Hon'able Court due to non-serving of notice, hence is liable to be set-aside.
- c. That the impugned decree has been obtained by misrepresentation from this Hon'able Court, hence liable to be set-aside.
- d. That it is very settled law and the direction of the apex court are available that the cases should have been decided on merits instead of technicalities.
- e. That it is a fundamental right of the applicant/defendant to defend the present case in accordance with the law and facts which has not been added into the knowledge of this Hon'able Court, which should have been help and

assist this court by deciding the matter on merits.

- f. That the applicant/defendant has a lot of material to present and submit before this Hon'able Court in his favour.
- g. That the applicant/defendant wants to submit his written reply and evidence to assist this Hon'able Court.
- h. That the applicant/defendant is ought to assist the court to help this Hon'able Court for having just and proper decision in this regard.
- i. That if the ex-parte decree is not set-aside the applicant/defendant shall suffer irreparable loss and injury.

PRAYER:

Under the above said circumstance it is therefore, most respectfully prayed that application may very kindly be accepted and ex-parte order dated 12.01.2023 may kindly be set-aside and the ex-parte judgment and decree dated 07.02.2023 may kindly be set-aside and the

applicant be allowed to defend the suit in the interest of justice.

It is also prayed that the proceeding in the execution regarding the ex parte judgment/decree dated 07.02.2023 and operation of judgment and decree dated 07.02.2023 may kindly be suspended/stayed in the interest of justice.

Any other relief which this Hon'able Court deems fit may also be awarded.

Applicant/defendant

Through

Syed Hassan Rizvi
Advocate High Court

Syed Muhammad Rizvi
Advocate High Court

Sheikh Irtaza
Advocate High Court

IN THE COURT OF MS. SOBIA SHAHNAWAZ, LEARNED JUDGE
FAMILY COURT, SIALKOT.

In re:-

Salma Mumtaz etc. Vs. Syed Shamim Haider

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

APPLICATION FOR SETTING ASIDE EX-PARTE
ORDER/PROCEEDINGS DATED 12.01.2023 JUDGMENT AND DECREE
DATED 07.02.2023.

AFFIDAVIT OF: *Syed Shamim Haider son of Syed Anwar Hussain Shah, resident of Rakh Bao Wali, Salamatpura, Post Office Muredke, District Sheikhupura.*

*I the above named deponent do hereby solemnly affirm and declare
as under:*

*That the contents of accompanying Application are true and correct to
the best of my knowledge and belief and nothing has been concealed
therein.*

Deponent

VERIFICATION:

Verified on Oath at Sialkot this 22nd day of December, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

IN THE COURT OF MS. SOBIA SHAHNAWAZ, LEARNED JUDGE
FAMILY COURT, SIALKOT.

In re:-

Salma Mumtaz etc. Vs. Syed Shamim Haider

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

(APPLICATION FOR SETTING ASIDE EX-PARTE JUDGMENT AND DECREE
DATED 14.02.2023)

APPLICATION FOR SUSPENSION OF OPERATION OF JUDGMENT AND
DECREE DATED 07.02.2023 AND FOR STAYING THE EXECUTION
PROCEEDINGS.

Respectfully Sheweth:-

1. That the applicant has filed the above titled application in this Honourable court.
2. That the contents of the main application may kindly be read as an integral part and parcel of this application.

3. That applicant has a good *prima facie* case in his favour and the same is likely to be succeeded.
4. That the balance of convenience lies in favour of the applicant and against the respondent.
5. That if the interim relief as prayed for is not granted, the applicant shall suffer irreparable loss and injury.

PRAAYER:

It is, therefore, most respectfully prayed that; -

- i. *That the execution proceedings against the applicant may kindly be stayed for the interest of justice.*
- ii. *Operation of the judgment and decree dated 07.02.2023 may very kindly be suspended.*
Ad-interim injunction may also be awarded.

Any other relief which this Honourable Court deems fit and proper may also be awarded.

Applicant/defendant

Through

Syed Hassan Rizvi
Advocate High Court

Syed Muhammad Rizvi
Advocate High Court

Sheikh Irtaza
Advocate High Court

IN THE COURT OF MS. SOBIA SHAHNAWAZ, LEARNED JUDGE
FAMILY COURT, SIALKOT.

In re:-

Salma Mumtaz etc. Vs. Syed Shamim Haider

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

(APPLICATION FOR SETTING ASIDE EX-PARTE JUDGMENT AND DECREE
DATED 14.02.2023)

APPLICATION FOR SUSPENSION OF OPERATION OF JUDGMENT AND
DECREE DATED 07.02.2023 AND FOR STAYING THE EXECUTION
PROCEEDINGS.

AFFIDAVIT OF: *Syed Shamim Haider son of Syed Anwar Hussain Shah, resident of Rakh Bao Wali, Salamatpura, Post Office Muredke, District Sheikhupura.*

*I the above named deponent do hereby solemnly affirm and declare
as under:*

*That the contents of accompanying Application are true and correct to
the best of my knowledge and belief and nothing has been concealed
therein.*

Deponent

VERIFICATION:

Verified on Oath at Sialkot this 22nd day of December, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

Guardian Petition No._____ /2024

Sheikh Muhammad Sajid son of Sheikh Muhammad Afzal, resident of House No.158-G, Block Growemperal Garden, Paragon City, Barki Road, Cantt., Lahore.

Petitioner

V E R S U S

Ambreen Ishaq daughter of Sheikh Muhammad Ishaq, resident of House No.09, Street No.4, Mohallah Cream Park, Qadafi Chowk, Ravi Road, Lahore..

Respondent

**PETITION UNDER SECTION 25 OF GUARDIAN AND WARDS ACT
1890 FOR THE CUSTODY OF MINORS (1) AZKA DATE OF**

BIRTH 18.09.2012 (2) MIRHA DATE OF BIRTH 21.12.2014 (3)
ZAYINAH DATE OF BIRTH 07.11.2016

Respectfully Sheweth:-

1. That the petitioner married to the respondent on 16.12.2011 according to Muslim Rites. During the subsistence of marriage the minors **(1) AZKA DATE OF BIRTH 18.09.2012 (2) MIRHA DATE OF BIRTH 21.12.2014 (3) ZAYINAH DATE OF BIRTH 07.11.2016** were born, who are presently in the custody of respondent.
2. That the petitioner has a very much affection and inclination towards the minors being real father.
3. That the petitioner is entitled to have custody of said minors on following grounds amongst other;-

GROUNDS

- a. That the petitioner is the real father of the minors and as such he is the real and natural guardian of the minors.
- b. That atmosphere of the respondent's home is not conducive and healthy for the minors' mental growth and psychological welfare and health of the minors.
- c. That atmosphere of respondent's home is indiscreet, improper non-religious and non conducive for proper upkeep and growth of the minors.
- d. That the petitioner being the father and natural guardian of the minors wants to look after minors in a proper way for which the petitioner is seeking custody.
- e. That there is a strong apprehension that due to respondent's careless and rude attitude, the minors will not be properly looked after by the respondent and it is in the welfare of the minors that custody of minors be handed over to the petitioner as father of minors as early as possible.
- f. That the petitioner is ready and willing to become the actual guardian of the minors if custody of minors is given to petitioner in the larger interest and welfare of the minors.

- g. That the petitioner has great love and affection with the minors being real father. So he wants to take custody of the minors. It is pertinent to mention here that the minors' growth is reportedly not properly developing due to insufficient diet, improper medical treatment and improper look after.
 - h. That the petitioner has time and again asked the respondent to handover the custody of the minors to the petitioner but the respondent has flatly refused to accede to the genuine request of the petitioner.
4. That the cause of action firstly accrued in favour of the petitioner and against the respondent when the respondent has flatly refused to handover the custody of the minors. The petitioner is not even allowed to have a meeting with the minors and the respondent finally refused to adhere the genuine and lawful request of petitioner, thus the cause of action is still continuing.
 5. That the parties to the petition are residing at Lahore, cause of action has accrued at Lahore, hence this Hon'able Court has got jurisdiction to entertain the matter.
 6. That the requisite court fee has been affixed on the plaint.

PRAYER:

Under the above said circumstances, it is most respectfully prayed that keeping in view the above alarming situation and welfare and future of the minors, the petition under hand may kindly be accepted and the custody of the minors may kindly be handed over permanently to the petitioner for proper and better welfare of minors keeping in view future of the minors.

It is further prayed that till the decision of this petition the respondent may kindly be directed to bring the minors in this Hon'able Court and the petitioner be allowed to see/meet minors under the supervision of this Honourable Court and be restrained from removing the minors from the jurisdiction of this Honourable Court i.e. out of city.

Any other relief which this Hon'able Court deems fit may also be awarded.

Petitioner

Through

Muhammad Tabsheer
Advocate High Court

VERIFICATION:

Verified on Oath at Lahore, this day of January, 2024 that the contents of the above petition from Paras 1 to 3 are true and correct to the best of my knowledge and rest of the Paras 4 to 6 are correct to the best of my information and belief.

Petitioner

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

In re:

Sheikh Muhammad Sajid **Vs.** Ambreen Ishaq

(PETITION UNDER SECTION 25 OF GUARDIAN AND WARDS ACT
1890)

Application: **UNDER SECTION 12 OF THE GUARDIANS AND
WARDS ACT FOR INTERIM CUSTODY OF THE
MINORS.**

Respectfully Sheweth:-

1. That the petitioner has filed the accompanying petition under Section 25 of the Guardian & Wards Act in this Hon'able Court and the contents thereof may kindly be read and treated as an integral part of this application.
2. That because of in-conducive atmosphere, neglect and carelessness of the respondent towards the minors, not only the physical but mental health of the minors is in a very serious condition and there is strong apprehension of further deterioration of the minors if minors are not taken from custody of the respondent. That the petitioner is not being allowed to even see the minors.
3. That in order to protect the interest, welfare and well-being of the minors and for benefit of minors, the exigency of the case demands that interim custody of minors may be handed over to the petitioner for which this Hon'able Court has got prerogative.

4. That if the interim custody sought for, is not granted, it will be injurious and harmful for the minors to keep minors in the custody of the respondent till the decision of the main case.
5. That the petitioner has a good *prima facie* case in his favour and balance of convenience also lies in favour of the petitioner.
6. That if interim custody of the minors is not handed over to the petitioner, the petitioner as well as the minors would be bound to suffer an irreparable loss and injury.

In view of the submissions made above, it is respectfully prayed that interim custody of the minors may kindly be handed over to the petitioner/father till the decision of the main Guardian Petition in the interest of justice.

It is further prayed that the respondent may kindly be ordered to produce the minors before this Hon'able Court on each and every date of hearing for meeting with the petitioner.

It is also further prayed that the respondent may also be restrained from removing the minors from the TERRITORIAL JURISDICTION of this Hon'able Court till the decision of the case.

Petitioner
Through

Muhammad Tabsheer
Advocate High Court

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

In re:

Sheikh Muhammad Sajid **Vs.** Ambreen Ishaq

(PETITION UNDER SECTION 25 OF GUARDIAN AND WARDS ACT
1890)

Application: **UNDER SECTION 12 OF THE GUARDIANS AND
WARDS ACT FOR INTERIM CUSTODY OF THE
MINORS.**

AFFIDAVIT OF: **Sheikh Muhammad Sajid** son of Sheikh Muhammad Afzal, resident of House No.158-G, Block Growemperal Garden, Paragon City, Barki Road, Cantt., Lahore.

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying "**Application**" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this day of January, 2024 that the contents of the above affidavit are true and correct to the best of

my knowledge and belief and nothing has been concealed therein.

Deponent

**IN THE COURT OF DISTRICT JUDGE WITH THE POWERS OF
COURT OF PROTECTION, LAHORE.**

Saima Liaqat daughter of Liaqat Ali (deceased), resident of House No.137/2, Street No.134, Aman Park, Baghbanpura, Lahore.

PETITIONER

Versus

Public-at-large.

RESPONDENT

**APPLICATION FOR APPOINTMENT OF GUARDIAN AND
MANAGER OF LUNATIC AND MENTALLY DISORDERED PERSON**

**NAMELY RABIA LIAQAT DAUGHTER OF LIAQAT ALI
(DECEASED)**

Respectfully Sheweth:

1. That one Liaqat Ali died on 03.06.2019 and left legal heirs including a lunatic daughter namely Rabia Liaqat. It is pertinent to mention here that the mother of the lunatic had also been died on 03.11.2021.
2. That the father of the lunatic was serving in Police department and lunatic has to receive her father death compensation.
3. That the appointment of the guardian and the manager is necessary for looking after the property of lunatic in proper way and manner, because the lunatic is unable to look-after and manage his affairs of property elucidated above.
4. That the petitioner is the real sister of lunatic namely Rabia Liaqat.
5. That Rabia Liaqat is real sister of the petitioner, who is a lunatic person and is of unsound mind and incapable for managing herself and her estate affairs.
6. That the lunatic person is residing at Lahore, and property of lunatic is also situated at Lahore, so this Honourable Court has jurisdiction to entertain the present application.

PRAYER:

In the aforementioned circumstances, it is prayed that the petitioner may kindly be appointed as guardian, manager to look after the lunatic and manage the death benefits/ compensation of his father / property mentioned supra in the interest of justice, equity and fair play.

Any other relief which this Honourable Court deems fit may also be awarded.

Petitioner

Through

Muhammad Farhat Abbas Bhatti
Advocate High Court
85-The Mall, Lahore.

**IN THE COURT OF DISTRICT JUDGE WITH THE POWERS OF
COURT OF PROTECTION, LAHORE.**

In re:

Saima Liaqat **Vs.** Public at Large

**APPLICATION FOR APPOINTMENT OF GUARDIAN AND MANAGER OF
LUNATIC AND MENTALLY DISORDERED PERSON NAMELY RABIA
LIAQAT DAUGHTER OF LIAQAT ALI (DECEASED)**

AFFIDAVIT OF: **Saima Liaqat** daughter of Liaqat Ali (deceased), resident of House No.137/2, Street No.134, Aman Park, Baghbanpura, Lahore.

I the above named deponent solemnly affirms and declares on oath as under:

Deponent

VERIFICATION:

*Verified on Oath at Lahore this day of February, 2024
that the contents of the above affidavit are true and correct to
the best of my knowledge and belief and nothing has been
concealed therein.*

Deponent

To,
Advocate General,
Lahore.

Sub: **APPLICATION FOR PERMISSION TO FILE PETITION.**

Venerably supplicated as under:

It is submitted that the undersigned intends to file an application under Lunacy Act for which permission of this Honourable Office is required.

You are, therefore, requested to allow the undersigned to file the accompanying petition.

Petitioner

Through

Muhammad Farhat Abbas Bhatti
Advocate High Court
85-The Mall, Lahore.

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MST. SAIMA

*Daughter of Muhammad Arif, resident of House No.16, Street No.144,
Mohallah Madho Lal Hussain, Baghbanpura, Lahore.*

Plaintiff

VERSUS

IJAZ

*Son of Sana Ullah, resident of House No.2, Street No.85,
Harbanspura, Lahore.*

Defendant

**SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA.**

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant 8-months ago according to Muslim Rites and Sunnah. Nikkah Nama is in the custody of the defendant.
- 2- That out of this wedlock no progeny born.

- 3- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff as maintenance allowance.
- 4- That the defendant is cruel temperament person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 5- That 7-months ago, the defendant after giving her severs beating, and snatching all her belongings, including the ornaments, the defendant ousted the plaintiff from his house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address.

- 6- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.

- 7- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.

- 8- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house and finally when the defendant flatly refused to listen the request of the plaintiff and the same is still continue.

- 9- That the parties to the suit are residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.

10- That the prescribed court fee has been affixed on the plaint.

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

Through:

Muhammad Farhat Abbas Bhatti
Advocate High Court

Fayyaz Gujjar
Advocate High Court

Ali Hussain Gujjar
Advocate High Court

VERIFICATION:

Verified on Oath at this **21st day of December, 2023** that the contents of the Paras No.1 to 7 are true and correct to the best of my knowledge and belief and rest Paras No.8 to 10 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Saima **vs.** Ijaz

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

SCHEDULE OF WITNESSES:

1. Plaintiff herself.

All the witnesses shall support the averments of the plaint and version of the plaintiff.

Plaintiff

Through:

Muhammad Farhat Abbas Bhatti
Advocate High Court

Fayyaz Gujjar
Advocate High Court

Ali Hussain Gujjar
Advocate High Court

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Saima **Vs.** Ijaz

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

AFFIDAVIT FOR NON-AVAILABILITY OF NIKKAH NAMA.

AFFIDAVIT OF:

Mst. Saima daughter of Muhammad Arif, resident of House No. 16, Street No. 144, Mohallah Madho Lal Hussain, Baghbanpura, Lahore.

I the above named deponent do hereby solemnly affirm and declare as under:

That the plaintiff married to the defendant, Nikkah Nama is in possession of defendant, the plaintiff is swearing this affidavit for obtaining Khula.

DEPONENT

VERIFICATION:

Verified on Oath at Lahore this 21st day of December, 2023 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

DEPONENT

**IN THE COURT OF MR. AYUB GUL, LEARNED JUDGE FAMILY
COURT, LAHORE.**

Family Suit First Diary/ Register No.707/2023, dated
15.07.2023 and second Diary Register No.PLB-LHR-F.Case
No.13943/2023

In re:-

Sadaf Anwar

Vs.

Muhammad Asif Khan

Date of Hearing 08th December, 2023

WRITTEN STATEMENT/ REPLY ON BEHALF OF THE DEFENDANT
(MUHAMMAD ASIF KHAN) SUIT FOR RECOVERY OF RS.500,000/-
AS SPECIAL CONDITION OF NIKAH NAMA AND RS.1,50,000/- AS
DOWER AMOUNT TOTAL AMOUNT OF RS.6,50,000/-

Respectfully Sheweth:-

PRELIMINARY OBJECTIONS:-

1. That the suit is not maintainable because the plaintiff (Sadaf Anwar) and her counsel / Advocate not described the real story and actual fact in this fresh suit. So, the suit/plaint is liable to be dismissed.
2. That the plaintiff (Sadaf Anwar) had filed a suit for recovery of dower amount of Rs.150,000/- and dowry articles amount of Rs.167,500/- in the Honourable Judge Family Court (Ms. Nabeela Amir) and date of hearing 14.12.2023 is fixed for further proceedings in this case according to the local commission report (Sadaf Anwar) have received the dowry articles in presence of the witnesses and her present counsel/advocate were well aware about the real facts of this case. The counsel/advocate of (Sadaf Anwar) was also submitted the power of attorney in the Honourable Judge Family Court of Ms. Nabeela Amir. The counsel/advocate of plaintiff

intentionally or deliberately concealed the original facts from this Honourable Court, which shows malafide and dishonesty. So, the suit is liable to be dismissed.

3. That the Civil Judge Class-III, Ms. Khadija Farooq and passed the order dated 17.09.2021 with the following remarks/ directions:

"hence, plaintiff is hereby returned under Order 7 Rule 10 of C.P.C 1908 and plaintiff may approach appropriate Forum"

After one year 9-months and 7-days filed this fresh family suit with malafide and dishonesty and 1-year, 9-months and 7-days not challenged the order of Honourable Civil Judge, Lahore at any forum. It is time barred. So, the suit is liable to be dismissed/rejected with cost.

ON FACTS:-

1. Para No.1 needs no reply.
2. Para No.2 the first three lines of para are correct and further is incorrect according to

local commission report about dowry articles and dower amount in his statement of defendant (Muhammad Asif Khan) said & wrote "according to Nikkahnama amounting of Rs.150,000/- as a dower amount paid to plaintiff (Sadaf Anwar) at the time of marriage".

Plaintiff Sadaf Anwar in her statement of local commission report said and wrote "Gold ornaments was given as a dower, the gold ornaments was given by the parents of my ex-husband". Further claim of Rs.500,000/- with condition of divorce is not dower amount and is void and not payable.

3. Para No.3 needs no reply.
4. Para No.4 incorrect, hence denied.
5. Para No.5 needs no reply but the payment of decreetal amount of minor. The defendant Muhammad Asif Khan father of the minor already paid the all previous decreetal amount to the decree holder till 31.10.2023 and next date of hearing

of the Honourable Family Judge Ms. Nabeela Amir
is 14.12.2023.

6. Para No.6 already replied in Para No.2 of on
merits further needs no reply.
7. Para No.7 incorrect, hence denied.
8. Para No.8 incorrect, needs no reply.
9. Legal needs no reply.

*Under the circumstances it is, most
respectfully prayed that the fresh suit/plaint
for recovery of Rs.500,000/- as special
condition of Nikkah nama and Rs.150,000/- as
dower amount is not maintainable is liable to
be rejected and defendant's reply (Muhammad
Asif Khan) may kindly be accepted and this
fresh suit of plaintiff (Sadaf Anwar) may
kindly be rejected with special costs.*

*Any other relief which this Honourable
Court deems fit and proper may also be awarded.*

Defendant

Through

Muhammad Omer Bhatti
Advocate High Court

VERIFICATION:-

Verified on Oath at Lahore, this day of December, 2023 that the contents of the above written statement from Paras No.1 to 6 are true and correct to the best of my knowledge and rest of the Paras No.7 to 9 with preliminary objections correct to the best of my information and belief.

Defendant

IN THE COURT OF MR. AYUB GUL, LEARNED JUDGE FAMILY COURT, LAHORE.

In re:-

Sadaf Anwar Vs. Muhammad Asif Khan

WRITTEN STATEMENT/ REPLY ON BEHALF OF THE DEFENDANT (MUHAMMAD ASIF KHAN) SUIT FOR RECOVERY OF RS.500,000/- AS SPECIAL CONDITION OF NIKAH NAMA AND RS.1,50,000/- AS DOWER AMOUNT TOTAL AMOUNT OF RS.6,50,000/-

SCHEDULE OF WITNESSES

- 1- Hafiz Muhammad Akbar son of Mian Imam Din, resident of Mouza Khawas, Tehsil & District Bagh, Azad Kashmir.
- 2- Mir Akbar Khan son of Mian Mir Zaman Khan, resident of Mouza Khawas, Tehsil & District Bagh, Azad Kashmir.
- 3- Mr. Naveed son of Mir Akbar Khan, resident of Mouza Khawas, Tehsil & District Bagh, Azad Kashmir.
- 4- Defendant himself.

ALL THE WITNESSES will support the version of the defendant.

Defendant

Through

Muhammad Omer Bhatti
Advocate High Court

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MST. SABA SHAHZADI

Daughter of Muhammad Ashraf, resident of Ward No.1, Jalo More, Street No.7, Post Office Batapur, Cantt., Lahore.

Plaintiff

VERSUS

MUHAMMAD AHMAD

Son of Muhammad Shafiq, resident of Alam Street, Salamat Pura, G.T. Road, Lahore.

Defendant

SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA.

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant on 14.10.2022 according to Muslim Rites and Sunnah. Copy of Nikkah Nama is attached for kind perusal.
- 2- That out of this wedlock no progeny born.

- 3- That at the time of marriage the parents of the plaintiff gave precious dowry articles to the plaintiff, which are in the possession of the defendant.
- 4- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff as maintenance allowance.
- 5- That the defendant is cruel temperament person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 6- That 3-months ago, the defendant after giving her severs beating, and snatching all her belongings, including the ornaments, the defendant ousted the plaintiff from his house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address.
- 7- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.
- 8- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.

- 9- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house and finally when the defendant flatly refused to listen the request of the plaintiff and the same is still continue.
- 10- That the parties to the suit are residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.
- 11- That the prescribed court fee has been affixed on the plaint.

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

Through:

Sheraz John
Advocate High Court

VERIFICATION:

Verified on Oath at this **day of December, 2023** that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Saba Shahzadi **vs.** Muhammad Ahmad

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

SCHEDULE OF WITNESSES:

1. Plaintiff herself.

All the witnesses shall support the averments of the plaint and version of the plaintiff.

Plaintiff

Through:

Sheraz John
Advocate High Court

IN THE COURT OF DISTRICT JUDGE, LAHORE.

T.A. No. _____ /2023

Yousaf Masih son Samuel Masih, resident of House
No. 403-3-D1, Township, Lahore.

Applicant
VERSUS

1. Muhammad Rashid son of Abdul Hameed, resident of Mohallah Glaxo Factory, Main Bazar, Ferozepur Road, Lahore.

2. Huma Jamshaid

3. Zeeshan

Son & daughter of Jamshaid Danial, residents of 216-B-I, Township, Lahore.

4. Sub-Registrar Gulberg Town, Lahore.

Respondent

SUBJECT: PETITION FOR THE TRANSFER/ WITHDRAWAL OF
SUIT FOR
TITLED AS "MUHAMMAD RASHID ETC. VS. YOUSAF
MASIH" PENDING IN THE COURT OF MISS RABIA
SALEEM, LEARNED FAMILY JUDGE, LAHORE AND
ENTRUSTMENT IN ANY COURT OF COMPETENT
JURISDICTION.

Respectfully Sheweth;

1. That the _____ has filed a suit for _____ titled as "Muhammad Rashid etc. Vs. Yousaf Masih" which is pending in the court of Miss Rabia Saleem, learned Family Judge, Lahore, and is fixed for 28.03.2020.

2. That the learned Family Judge, has exercised its jurisdiction unlawfully, illegally and committed material irregularity in the case of the applicant. The Honourable Court is taking personal interest in the case mentioned above.
3. That the petitioner has lost his confidence over the learned Family Judge, as the learned Family Judge has shown his partial attitude towards respondent, therefore, the possibility of justice is likely to be suffered and the petitioner will sustain irreparable loss.
4. That if the above said case is not transferred to any other competent court of law; the applicant shall suffer irreparable loss and injury.

PRAAYER:

Under the above circumstances it is,
therefore, most respectfully prayed that suit
_____ may very kindly be withdrawn from the
above referred court and be entrusted to some

other Competent Court of law, in the interest
of the justice, equity and fair play.

Any other relief which this Hon'able Court
deems fit may also be awarded.

APPLICANT

Through

Advocate High Court

IN THE COURT OF DISTRICT JUDGE, LAHORE.

In re:

Yousaf Masih **VS.** Muhammad Rashid etc.

TRANSFER APPLICATION

AFFIDAVIT OF: Yousaf Masih

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying "**Transfer Application**" may kindly be read as an integral part of this applicant and the contents of said application are true and correct to the best of my knowledge and belief.

Deponent

VERIFICATION:

Verified on Oath at Lahore this ____ day of June, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MST. RAMZANA BIBI

Daughter of Muhammad Aslam, resident of Shahpur Kanjra, Lahore.

Plaintiff

VERSUS

MUHAMMAD NAVeed

Son of Manga, resident of Havaili Mol Chand, Basti Chirag Shah Kasur.

Defendant

**SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA.**

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant on 01.12.2017 according to Muslim Rites and Sunnah. Copy of Nikkah Nama is attached for kind perusal.
- 2- That out of this wedlock no progeny born.

- 3- That at the time of marriage the parents of the plaintiff gave precious dowry articles to the plaintiff, which are in the possession of the defendant.

- 4- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff as maintenance allowance.
- 5- That the defendant is cruel temperament person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 6- That 4-months ago, the defendant after giving her severs beating, and snatching all her belongings, including the ornaments, the defendant ousted the plaintiff from his house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address.
- 7- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.
- 8- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.
- 9- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house and finally when the defendant

flatly refused to listen the request of the plaintiff and the same is still continue.

- 10- That the plaintiff is residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.
- 11- That the prescribed court fee has been affixed on the plaint.

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

Through:

Sailf Ullah Khan
Advocate High Court

Muhammad Usman
Advocate High Court

VERIFICATION:

Verified on Oath at this day of March, 2024 that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF SENIOR GUARDIAN JUDGE
WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Ramzana Bibi **Vs.** Muhammad Naveed

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

SCHEDULE OF WITNESSES:

1. Plaintiff herself.

All the witnesses shall support the averments of the plaint and version of the plaintiff.

Plaintiff

Through:

Sailf Ullah Khan
Advocate High Court

Muhammad Usman
Advocate High Court

IN THE COURT OF SENIOR GUARDIAN JUDGE
WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MST. RABIA FARZAND

Daughter of Farzand Ali, resident of Jalal Park, Barkat Chowk, Peco Road, Main Multan Road, Lahore.

Plaintiff

VERSUS

MUHAMMAD IRFAN

Son of Muhammad Boota, resident of Jalal Park, Multan Road, Lahore.

Defendant

SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA.

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant 12-years ago according to Muslim Rites and Sunnah. Copy of Nikkah Nama is attached for kind perusal.
- 2- That out of this wedlock two sons namely (1) Muhammad Rehman aged about 5-years old, (2) Muhammad Rohan aged about 2-years old were born respectively and they are in the custody of the plaintiff.
- 3- That at the time of marriage the parents of the plaintiff gave precious dowry articles to the plaintiff, which are in the possession of the defendant.
- 4- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff as maintenance allowance.
- 5- That the defendant is cruel temperament person, drug addicted person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 6- That few days ago, the defendant force to leave the plaintiff from his house after giving her severs beating, and snatching all her belongings, including the ornaments, the defendant ousted the plaintiff from his house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address.
- 7- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in

future, within the limits prescribed by Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.

- 8- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.
- 9- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house and finally when the defendant flatly refused to listen the request of the plaintiff and the same is still continue.
- 10- That the parties to the suit are residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.
- 11- That the prescribed court fee has been affixed on the plaint.

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

Through:

Z. A Zahid

Advocate High Court

VERIFICATION:

Verified on Oath at this ____ day of December, 2023 that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Rabia Farzand **Vs.** Muhammad Irfan

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

AFFIDAVIT FOR NON-AVAILABILITY OF NIKKAH NAMA.

AFFIDAVIT OF:

*Mst. Rabia Farzand daughter of Farzand Ali,
resident of Jalal Park, Barkat Chowk, Peco
Road, Main Multan Road, Lahore.*

*I the above named deponent do hereby solemnly affirm and
declare as under:*

*That the plaintiff married to the defendant, Nikkah Nama is in
possession of defendant, the plaintiff is swearing this affidavit for
obtaining Khula.*

DEPONENT

VERIFICATION:

Verified on Oath at Lahore this ____ day of December, 2023 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

DEPONENT

**IN THE COURT OF SENIOR GUARDIAN JUDGE WITH THE
POWERS OF JUDGE FAMILY COURT LAHORE.**

Family Suit No. _____ /2023

***Mst. Neelam daughter of Muhammad Shafiq, resident of House No.8,
Street No. 1, Mohallah Awami Street, Sanda Khurd, Lahore.***

Plaintiff

V E R S U S

***Muhammad Tahir Jutt son of Umer Hayat, resident of House
No.29, Street No.24, Mohallah Masood Park, Dholanwal, Bund Road,
Lahore.***

Defendant

**SUIT FOR RECOVERY OF DOWER AMOUNT OF RS.100,000/-
AND DOWRY ARTICLES AS PER LIST APPENDED WITH PLAINT
OR ITS ALTERNATIVE AMOUNT OF RS. _____ /-.**

Respectfully Sheweth;:-

1. That the addresses of the parties mentioned in the caption of the plaint are correct for the purpose of summons, notices and other process of this Hon'able Court.
2. That the brief facts of instant plaint are that the plaintiff married to the defendant on 01.11.2021 according to Muslim Rites and Sunnah. It is pertinent to mention here that at the time of marriage the dower amount of Rs.100,000/- was fixed mentioned in the Nikkah Nama in Column No.13, which is still unpaid. Copy of Nikkah Nama is attached for kind perusal of this Honourable Court.
3. That out of this wedlock one child namely Moeed aged about 15-months was born, who is in the custody of the plaintiff.
4. That at the time of marriage, the parents of the plaintiff gave precious dowry articles as per list appended with plaint valuing Rs._____/- which lying in the house of the defendant and the defendant is using the said dowry

articles and ruining the same. Copy of list of dowry articles is appended for kind perusal of this Honourable Court.

5. That after solemnization of marriage the relations between the parties were remained cordial hardly for some months but later on the defendant changed his behaviour towards the plaintiff and became harsh and cruel and then he on several occasions severely tortured the plaintiff on petty household matters even in front inhabitants of locality and family members.
6. That the plaintiff being wise woman and just to save her matrimonial life always tried to keep the defendant happy but he always treated the plaintiff like animal and his slave and demanding illegal demands i.e. vehicle, cash etc.
7. That the defendant is a person of evil and cruel and greedy nature and he always ignored the plaintiff and did not pay a single penny as maintenance allowance to the plaintiff as well as minor.
8. That 8-months ago, the defendant after giving her severs beating, and snatching all her belongings, including the ornaments, the defendant ousted the plaintiff from his

house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address.

9. That it is suffice to point out that the defendant gave divorce to the plaintiff. Copies of the notices of the divorce are attached herewith.
10. That the plaintiff with respectables of the family members again approached to the defendant and demanded the dowry articles as per list appended with plaint or pay its alternative amount and dower amount of Rs.100,000/- but the defendant again flatly refused the request of the plaintiff.
11. That a week ago plaintiff again approached to the defendant and said to the defendant returns her dowry articles and dower amount but the defendant again flatly refused to do so. Hence this suit.
12. That the cause of action accrued in favour of the plaintiff and against the defendant when the defendant kicked out the plaintiff from his house in three wearing apparels, secondly when the defendant gave divorce to the plaintiff and lastly a week ago when the defendant totally refused to

listen the genuine request of the plaintiff, and the same cause of action is still continuous.

13. That the parties of the suit are residing at Lahore, the cause of action accrued at Lahore, hence this Hon'able Court has got jurisdiction to adjudicate upon the matter.
14. That the value of the suit for the purpose of court fee is fixed Rs.15/-.

It is, therefore, most respectfully prayed that a decree for recovery of dowry articles as per list presented with plaint or its alternative amount of Rs._____/- may kindly be passed in favour of the plaintiff and against the defendant.

It is further prayed that a decree for recovery of dower amount of Rs.100,000/- which is mentioned in the column No.13 of the Nikkha Nama may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Hon'able Court deems fit may also be awarded.

Plaintiff

Through

Muhammad Haris Malik
Advocate High Court

VERIFICATION:

Verified on Oath at Lahore, this *day of December, 2023* that the contents of the above plaint from Paras No.1 to 10 are true and correct to the best of my knowledge and rest of the Paras No.11 to 13 are correct to the best of my information and belief.

Plaintiff

**IN THE COURT OF SENIOR GUARDIAN JUDGE WITH THE
POWERS OF JUDGE FAMILY COURT LAHORE.**

In re:

Mst. Neelam Vs. Muhammad Tahir Jutt

(SUIT FOR RECOVERY OF DOWRY ARTICLES ETC)

SCHEDULE OF WITNESSES

1-

2-

3- Plaintiff herself.

All the witnesses shall support the version of the plaintiff.

Plaintiff

Through

Muhammad Haris Malik
Advocate High Court

IN THE COURT OF

LEARNED CIVIL JUDGE,
LAHORE.

In re:-

Hafiza Ayesha Batool **vs.** Nasir Munir Kayani

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA)

APPLICATION UNDER ORDER VI, RULE 17 READ WITH
SECTION 151 CPC FOR AMENDMENT OF THE PLAINT.

Respectfully Sheweth;-

1. That the above titled suit is pending before this Honourable Court and is fixed for today.
2. That the plaintiff wants to amend prayer clause as under:-

“That the father name of the defendant is correctly Ali Ahmed Kayani but in the suit name wrongly mention Ali Muhammad Kayani”.

3. That the amendment will not change the nature of the suit and amendment can be sought at any time as per law.
4. That if the amended application is not accepted the applicant shall suffer irreparable loss and injury. It is necessary to resolve the controversy between the parties.
The instant application may kindly be accepted.

PRAYER:

It is humbly submitted that the application in hand may kindly be accepted and the plaintiff be allowed to amend the plaint.

Any other relief which this Honourable Court deems fit may also be awarded.

Petitioner/plaintiff

Through

Counsel

**APPLICATION UNDER ORDER VI, RULE 17 READ WITH
SECTION 151 CPC FOR AMENDMENT OF THE PLAINT.**

AFFIDAVIT OF: Hafiza Ayesha Batool wife of Nasir Munir Kayani daughter of Zaheer Ahmed, resident of House No.E-198.1, Street No.9, Block-A, Mohallah Nishat Colony, Cantt., Lahore.

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION

Verified on Oath at Lahore this day of December, 2023 that the contents of above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

**IN THE COURT OF MRS. SANAH EHSAN-UR-REHMAN JUDGE
FAMILY COURT, LAHORE.**

In re:-

Hafiza Ayesha Batool **Vs.** Nasir Munir Kayani

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA)

**APPLICATION UNDER ORDER VI, RULE 17 READ WITH SECTION
151 CPC FOR AMENDMENT OF THE PLAINT.**

Respectfully Sheweth;:-

1. That the above titled suit is pending before this Honourable Court and is fixed for today.
2. That the plaintiff wants to amend the name of the defendant's father as under:-
“Nasir Munir Kayani son of Ali Ahmed Kayani”.
3. That the amendment will not change the nature of the suit and amendment can be sought at any time as per law.
4. That if the amended application is not accepted the applicant shall suffer irreparable loss and injury. It is necessary to resolve the controversy between the parties. The instant application may kindly be accepted.

PRAYER:

***It is humbly submitted that the application in hand
may kindly be accepted and the plaintiff be allowed to
amend the plaint.***

***Any other relief which this Honourable Court deems
fit may also be awarded.***

Petitioner/plaintiff

Through

Counsel

**IN THE COURT OF MRS. SANAH EHSAN-UR-REHMAN JUDGE
FAMILY COURT, LAHORE.**

In re:-

Hafiza Ayesha Batool **vs.** Nasir Munir Kayani

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA)

**APPLICATION UNDER ORDER VI, RULE 17 READ WITH SECTION
151 CPC FOR AMENDMENT OF THE PLAINT.**

AFFIDAVIT OF: Hafiza Ayesha Batool wife of Nasir Munir Kayani daughter of Zaheer Ahmed, resident of House No.E-198.1, Street No.9, Block-A, Mohallah Nishat Colony, Cantt., Lahore.

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION

Verified on Oath at Lahore this day of December, 2023 that the contents of above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

Guardian Petition No. _____ /2023

Nasir Khan son of Abdul Ghaffar Khan, resident of Block-575/`, Mohallah Makkim, Quarter No.60, Kachi Jughi Cant.t, Lahore.

Petitioner

V E R S U S

Mst. Iram daughter of Abdul Rasheed, resident of House No.3, Street No.2, Saray Ambanwali, Baghbanpura, Lahore.

Respondent

PETITION UNDER SECTION 25 OF GUARDIAN AND WARDS ACT 1890 FOR THE CUSTODY OF MINORS

Respectfully Sheweth:-

1. That the petitioner married to the respondent on 17.09.2016 according to Muslim Rites. During the subsistence of marriage the minors (1) Ali Zaman (son) (2) Fariha Naqvi (daughter) were born, who are presently in the custody of respondent.
2. That the petitioner has a very much affection and inclination towards the minors being real father.
3. That the petitioner is entitled to have custody of said minors on following grounds amongst other;-

GROUNDS

- a. That the petitioner is the real father of the minors and as such he is the real and natural guardian of the minors.
- b. That atmosphere of the respondent's home is not conducive and healthy for the minors' mental growth and psychological welfare and health of the minors.
- c. That atmosphere of respondent's home is indiscreet, improper non-religious and non conducive for proper upkeep and growth of the minors.
- d. That the petitioner being the father and natural guardian of the minors wants to look after minors in a proper way for which the petitioner is seeking custody.

- e. That there is a strong apprehension that due to respondent's careless and rude attitude, the minors will not be properly looked after by the respondent and it is in the welfare of the minors that custody of minors be handed over to the petitioner as father of minors as early as possible.
- f. That the petitioner is ready and willing to become the actual guardian of the minors if custody of minors is given to petitioner in the larger interest and welfare of the minors.
- g. That the petitioner has great love and affection with the minors being real father. So he wants to take custody of the minors. It is pertinent to mention here that the minors' growth is reportedly not properly developing due to insufficient diet, improper medical treatment and improper look after.
- h. That the petitioner has time and again asked the respondent to handover the custody of the minors to the petitioner but the respondent has flatly refused to accede to the genuine request of the petitioner.

4. That the cause of action firstly accrued in favour of the petitioner and against the respondent when the respondent has flatly refused to handover the custody of the minors. The petitioner is not even allowed to have a meeting with the minors and the respondent finally refused to adhere the genuine and lawful request of petitioner, thus the cause of action is still continuing.
5. That the parties to the petition are residing at Lahore, cause of action has accrued at Lahore, hence this Hon'able Court has got jurisdiction to entertain the matter.
6. That the requisite court fee has been affixed on the plaint.

PRAYER:

Under the above said circumstances, it is most respectfully prayed that keeping in view the above alarming situation and welfare and future of the minors, the petition under hand may kindly be accepted and the custody of the minors may kindly be handed over permanently to the petitioner for proper and better welfare of minors keeping in view future of the minors.

It is further prayed that till the decision of this petition the respondent may kindly be directed to bring the minors in this Hon'able Court and the petitioner be allowed to see/meet minors under the supervision of this Honourable Court and be restrained from removing the minors from the jurisdiction of this Honourable Court i.e. out of city.

***Any other relief which this Hon'able Court deems fit
may also be awarded.***

Petitioner

Through

Jabraan Ahmad Khan Bhabha
Advocate High Court
Bhabha & Co.
Ground Floor,
Cooperative Insurance Building, 23-The Mall,
Lahore.

VERIFICATION:

Verified on Oath at Lahore, this ____ day of December, 2023 that the contents of the above petition from Paras 1 to 3 are true and correct to the best of my knowledge and rest of the Paras 4 to 6 are correct to the best of my information and belief.

Petitioner

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

In re:

Nasir Khan **Vs.** Mst. Iram

(PETITION UNDER SECTION 25 OF GUARDIAN AND WARDS ACT
1890)

Application: **UNDER SECTION 12 OF THE GUARDIANS AND
WARDS ACT FOR INTERIM CUSTODY OF THE
MINORS.**

Respectfully Sheweth:-

1. That the petitioner has filed the accompanying petition under Section 25 of the Guardian & Wards Act in this Hon'able Court and the contents thereof may kindly be read and treated as an integral part of this application.
2. That because of in-conducive atmosphere, neglect and carelessness of the respondent towards the minors, not only the physical but mental health of the minors is in a very serious condition and there is strong apprehension of further deterioration of the minors if minors are not taken

from custody of the respondent. That the petitioner is not being allowed to even see the minors.

3. That in order to protect the interest, welfare and well-being of the minors and for benefit of minors, the exigency of the case demands that interim custody of minors may be handed over to the petitioner for which this Hon'able Court has got prerogative.
4. That if the interim custody sought for, is not granted, it will be injurious and harmful for the minors to keep minors in the custody of the respondent till the decision of the main case.
5. That the petitioner has a good *prima facie* case in his favour and balance of convenience also lies in favour of the petitioner.
6. That if interim custody of the minors is not handed over to the petitioner, the petitioner as well as the minors would be bound to suffer an irreparable loss and injury.

In view of the submissions made above, it is respectfully prayed that interim custody of the minors may kindly be handed over to the

*petitioner/father till the decision of the main
Guardian Petition in the interest of justice.*

*It is further prayed that the respondent may
kindly be ordered to produce the minors before this
Hon'able Court on each and every date of hearing for
meeting with the petitioner.*

*It is also further prayed that the respondent
may also be restrained from removing the minors
from the TERRITORIAL JURISDICTION of this
Hon'able Court till the decision of the case.*

Petitioner

Through

Jabraan Ahmad Khan Bhabha
Advocate High Court
Bhabha & Co.
Ground Floor,

*Cooperative Insurance Building, 23-The Mall,
Lahore.*

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

In re:

Nasir Khan **Vs.** Mst. Iram

(PETITION UNDER SECTION 25 OF GUARDIAN AND WARDS ACT
1890)

Application: **UNDER SECTION 12 OF THE GUARDIANS AND
WARDS ACT FOR INTERIM CUSTODY OF THE
MINORS.**

AFFIDAVIT OF: Nasir Khan son of Haider Raza Naqvi, resident of
House NO.89-B, Model Town, Lahore.

I the above named deponent do hereby solemnly affirm and
declare as under:

That the contents of accompanying "**Application**" are true and
correct to the best of my knowledge and belief and nothing has been
concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this day of December, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

IN THE COURT OF ADDITIONAL DISTRICUT JUDGE, FEROZEWALA.

Guardian Appeal No. _____ /2024

1. *Mian Naseer Ahmad son of Muhammad Sharif,*
2. *Rozina Kausar wife of Mian Naseer Ahmad, residents
of House No. 448/K, Phase-V, DHA, Lahore.*

APPELLANTS

VERSUS

1. *Public-at-large.*
2. *Mst. Beenish Ammar widow of Mian Muhammad Ammar,
resident of Faizpur Khurd, Post Office Same, Tehsil
Ferozewala, District Sheikhupura.*

RESPONDENTS

**APPEAL: AGAINST THE IMPUGNED ORDER DATED 05.12.2023
PASSED BY MR. FAIZ ULLAH, LEARNED GUARDIAN
JUDGE, FEROZEWALA.**

CLAIM IN APPEAL:

To set aside the impugned order dated
05.12.2023.

Respectfully Sheweth:-

1. That the appellants filed a guardian petition under Section 25 of Guardian & Wards Act for the custody of minor namely Minsa Ammar aged about 4-years, 3-months.
2. That the appellants filed guardian petition for custody of minor daughter of respondent No.2, who was born out of marriage of deceased son of appellants namely Muhammad Ammar and Beenish Ammar.
3. That the appellants filed the petition on the grounds that respondent No.2 contracted second marriage with a person not falling within the prohibited degree of marriage to the minor and minor is living with the maternal grandmother.

4. That respondent No.2 and appellants with their free consent entered into an agreement dated 08.10.2021 regarding custody of minor and as per clause-6 of the agreement Mark-R1, if respondent No.2 contract second marriage, then she losses her right of Hazanat and minor will be handed over to appellants and it was also mentioned in clause-6 of agreement that minor in case of not contracting the second marriage of respondent No.2 will remain in custody of respondent No.2 till the age of 5-years.
5. That the petition filed by appellants under Section 25 was contested by the respondent No.2 and out of divergent pleadings of the parties consolidated issues were framed by the trial court.
6. That after framing of issues, both the parties lead their respective evidence and after evidence of the parties, petition under Section 25 of

Guardian & Wards Act of the appellants was dismissed vide impugned order dated 05.12.2023.

7. That the impugned order dated 05.12.2023 passed by learned trial court is liable to be set aside and recalled inter alia on the following:

G R O U N D S

- a. That the learned trial court in Para No.12 of impugned order mentioned that appellant No.1 is businessman and he may not be with sufficient time to look after the child and fulfill her requirement at the tender age of 4-years and appellants are lacking characteristics for up-bringing the minor is oblivion to the record as appellant No.2 is real paternal grandmother and appellant No.1 is paternal grandfather and has sufficient sources to look after the child and no one other than the real grandmother having sufficient sources to properly look after the child and appellants are paying the

maintenance allowance to the minor as per agreement Mark-R1, so, the findings of the learned trial court are not sustainable in the eye of law.

- b. That the learned trial court ignored the fact that the respondent No.2 contracted second marriage with stranger and person of bad character and minor daughter is living with maternal grandmother, who has no sufficient sources to look after the child.
- c. That respondent No.2 contracted second marriage with a person not related to minor within prohibited degree of marriage and second husband of respondent No.2 is criminal person having criminal record. In Case of second marriage with stranger, mother loses right of Hazanat as otherwise she has till the age of puberty in case of female and age of 7-years in case of male. AW-1 / Nasreen Akhter mother and

Special Attorney of respondent No.2 appeared as AW-1 and admitted marriage of respondent No.2 with Jamshaid Ahmad Gachha. Similarly AW-2/ Muhammad Daud real brother of respondent No.2 candidly admitted in his cross examination that Beenish contracted second marriage with Jamshaid Iqbal and is now living with him. Where mother contracts second marriage, she loses the right of custody of her minor child.

Reliance is placed on 2022 MLD 55 High Court Azad Kashmir & 2018 CLC 767 Lahore High Court Lahore & 2018 CLC 452 Islamabad.

d. That learned trial court ignored the fact that how step father could be expected to provide such love and affection which could be provided by real grandparents. Reliance is placed on 2019 CLCN 47 Karachi High Court Sindh.

e. That learned trial court ignored the fact that while determining the custody of Female Ward in terms of Section 17 of Guardian & Wards Act

1890, the question of chastity to be jealously guarded, if the mother or female daughter had contracted second marriage with stranger, she had lost her right of Hazanat. Reliance is placed on 2018 MLD 591 Quetta High Court, Balochistan & 2018 YLR 1771 Quetta High Court, Balochistan.

f. That learned trial court ignored the basic principle of welfare of the minor in deciding the guardian petition. Welfare of the minor to be determined while keeping in view the mental, intellectual, moral and spiritual wellbeing. Guardian Court has also to look into qualification of parents, the age, gender, religion of the minor, the character and capacity of the proposed guardian and his/her nearness of kin to the minor as provided under Section 17 of the Guardian and Wards Act 1890. Welfare of the minor was to prevail and should

be the supreme consideration for deciding the issue of her custody. Record revealed that as a consequence of compromise between the parties Mark-R1, maintenance was being provided by the appellants. Mother herself not appeared in the witness box to rebut this assertion of the appellants. Respondent No.2 was bound to establish some exceptional circumstances which could lead the court to come to the conclusion that welfare of the minor lay with the mother but she failed. Reliance is placed on 2018 CLC 382 Lahore High Court, Lahore.

g. That the learned trial court ignored the fact that the agreement regarding custody of minor dated 08.10.2021 Mark-R1 was validly executed between the parties in presence of real brother of respondent No.2 and in presence of marginal witnesses namely Basharat Ali Dogar and Shaukat Ali Khan and both these witnesses appeared in

the witness box to support the agreement Mark-R1 and in this way Mark-R1 was proved according to law but learned trial court rejected Mark-R1 without any backing of law and without any speaking order, Clause-6 of the Mark-R1 clearly mentioned the handing over custody of minor to appellants in case of second marriage of respondent No.2. Mark-R1 is not void document as it is permissible under the law for any person to execute any valid agreement regarding custody of children.

- h. That the learned trial court/ Guardian Judge has passed the impugned order without applying the judicial and judicious mind and it is against the facts which have been narrated in the application of the appellants.
- i. That the impugned order is result of surmises and conjectures.
- j. That the impugned order is harsh in nature.
- k. That the impugned order is unjust and quite illegal.

- l. That the welfare of minor has totally been ignored by trial court while passing impugned order.
- m. That the verdict of the learned trial court is based on surmises and conjectures which is liable to be set aside.
- n. That the impugned order dated 05.12.2023 is harsh and un-just and has not been passed in accordance with the circumstances as well facts of the case.
- o. That the impugned order dated 05.12.2023 is based on surmises and conjectures and while passing the impugned order the trial court has not applied its judicial mind and the same has been passed in a hasty manner.

PRAYER:

Under the circumstances, it is, therefore, most respectfully prayed that the appeal may kindly be accepted and the impugned order dated 05.12.2023 may kindly be set-aside in the interest of justice and custody of minor namely Minsa Ammar may kindly be handed over to the appellants in the larger interest of the justice.

Any other relief which this Honourable Court deems fit and proper may also be awarded.

APPELLANTS

Through

Rai Tanveer Arshad Khan
Advocate Supreme Court
13-Fane Road, Lahore.

Azhar Abbas Sandhila
Advocate High Court
Aiwan-e-Adal, Lahore.
Cell # 0300-4925003

CERTIFICATE:

As per information provided by my client this is the first appeal on the subject matter.

Advocate

IN THE COURT OF ADDITIONAL DISTRICUT JUDGE , FEROZEWALA.

In re:

Mian Naseer Ahmad etc. Vs. Public-at-large etc.

(GUARDIAN APPEAL)

AFFIDAVIT OF: *Mian Naseer Ahmad son of Muhammad Sharif, resident of House No. 448/K, Phase-V, DHA, Lahore.*

I the above named deponent solemnly affirm and declare on Oath as under:

That the contents of the accompanying "**Appeal**" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

DEPONENT

VERIFICATION:

Verified on Oath at Ferozewala this 03rd day of January, 2024 that the contents of the above affidavit are true and

*correct to the best of my knowledge and belief and
nothing has been concealed therein.*

DEPONENT

IN THE COURT OF ADDITIONAL DISTRICUT JUDGE, FEROZEWALA.

In re:

Mian Naseer Ahmad etc. Vs. Public-at-large etc.

(GUARDIAN APPEAL)

APPLICATION FOR GRANT OF INTERIM INJUNCTION.

Respectfully Sheweth:

1. That the petitioners have filed the above titled appeal in this Honourable Court in which no date of hearing has yet been fixed.
2. That the contents of the appeal may kindly be read as an integral part and parcel of this application.
3. That petitioners have a good *prima facie* appeal in their favour and the same is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioners and against the respondents.

5. That if the impugned order of the trial court is not suspended/held in abeyance, the petitioners shall suffer irreparable loss and injury.

PRAAYER:

Under the above circumstances it is, therefore, most respectfully prayed that during the pendency of the appeal the operation of the impugned order dated 05.12.2023 may kindly be suspended.

Petitioners

Through

Rai Tanveer Arshad Khan
Advocate Supreme Court
13-Fane Road, Lahore.

Azhar Abbas Sandhila
Advocate High Court
Aiwan-e-Adal, Lahore.
Cell # 0300-4925003

IN THE COURT OF ADDITIONAL DISTRICUT JUDGE, FEROZEWALA.

In re:

Mian Naseer Ahmad etc. Vs. Public-at-large etc.

(GUARDIAN APPEAL)

APPLICATION FOR GRANT OF INTERIM INJUNCTION.

AFFIDAVIT OF: *Mian Naseer Ahmad son of Muhammad Sharif, resident of House No.448/K, Phase-V, DHA, Lahore.*

I the above named deponent solemnly affirm and declare on Oath as under:

That the contents of the accompanying "Application" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

DEPONENT

VERIFICATION:

Verified on Oath at Ferozewala this 03rd day of January, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

DEPONENT

IN THE COURT OF ADDITIONAL DISTRICT JUDGE, FEROZEWALA.

In re:

Mian Naseer Ahmad etc. Vs. Public-at-large etc.

INDEX

S. #	DESCRIPTION OF DOCUMENT	PAGES
1.	<i>Appeal with affidavit</i>	
2.	<i>Copy of impugned order and relevant documents</i>	
3.	<i>Stay application with affidavit</i>	
4.	<i>Power of attorney.</i>	

Appellants

Through

Rai Tanveer Arshad Khan
Advocate Supreme Court

Azhar Abbas Sandhila
Advocate High Court

13-Fane Road, Lahore.

Aiwan-e-Adal, Lahore.
Cell # 0300-4925003

IN THE COURT OF ADDITIONAL DISTRICUT JUDGE, FEROZEWALA.

Guardian Appeal No. _____ /2024

1. *Mian Naseer Ahmad son of Muhammad Sharif,*
2. *Rozina Kausar wife of Mian Naseer Ahmad, residents
of House No. 448/K, Phase-V, DHA, Lahore.*

APPELLANTS
VERSUS

1. *Public-at-large.*
2. *Mst. Beenish Ammar widow of Mian Muhammad Ammar,
resident of Faizpur Khurd, Post Office Same, Tehsil
Ferozewala, District Sheikhupura.*
3. *Minsa Ammar (minor) aged approximately 4-years,
3-months.*

RESPONDENTS

**APPEAL: AGAINST THE IMPUGNED ORDER DATED 05.12.2023
PASSED BY MR. FAIZ ULLAH, LEARNED GUARDIAN
JUDGE, FEROZEWALA.**

CLAIM IN APPEAL:

To set aside the impugned order dated
05.12.2023.

Respectfully Sheweth:-

1. That respondent No.2 filed a guardian petition under Section 25 of Guardian & Wards Act for the permanent custody of minor namely Minsa Ammar aged about 4-years, 3-months.
2. That the respondent No.2 filed guardian petition for permanent custody of minor daughter of respondent No.2, who was born out of marriage of deceased son of appellants namely Muhammad Ammar and Beenish Ammar.
3. That the respondent No.2 filed the petition on the grounds that respondent No.2 is real mother and is entitled for permanent custody of minor.
4. That the petition filed by respondent No.2 under Section 25 was contested by the present

appellants and out of divergent pleadings of the parties consolidated issues were framed by the trial court.

5. That after framing of issues, both the parties lead their respective evidence and after evidence of the parties, petition under Section 25 of Guardian & Wards Act of the respondent No.2 was accepted vide impugned order dated 05.12.2023.
6. That the impugned order dated 05.12.2023 passed by learned trial court is liable to be set aside and recalled inter alia on the following:

G R O U N D S

- a. That respondent No.2 Mst. Beenish Ammar filed Guardian Petition Under Section 25 of Guardian and Wards Act for permanent custody of minor as already Ward is in custody of mother / Beenish Ammar and that petition under Section 25 was Accepted by the learned trial court without adverting to the relevant provisions of law as Section 25 Petition is maintainable when Ward

is in custody of other party. Consequently the instant petition under Section 25 of Guardian and Wards Act for permanent custody of already child in custody is not maintainable. The proper remedy is to file application Under Section 7 of Guardian and Wards Act but the learned trial court not properly appreciated the relevant law on the subject and the instant appeal is liable to be accepted on this score alone.

b. That the learned trial court in Para No.12 of impugned order mentioned that appellant No.1 is businessman and he may not be with sufficient time to look after the child and fulfill her requirement at the tender age of 4-years and appellants are lacking characteristics for up-bringing the minor is oblivion to the record as appellant No.2 is real paternal grandmother and appellant No.1 is paternal grandfather and has sufficient sources to look after the child

and no one other than the real grandmother having sufficient sources to properly look after the child and appellants are paying the maintenance allowance to the minor as per agreement Mark-R1, so, the findings of the learned trial court are not sustainable in the eye of law.

- c. That the learned trial court ignored the fact that the respondent No.2 contracted second marriage with stranger and person of bad character and minor daughter is living with maternal grandmother, who has no sufficient sources to look after the child.
- d. That respondent No.2 contracted second marriage with a person not related to minor within prohibited degree of marriage and second husband of respondent No.2 is criminal person having criminal record. In Case of second marriage with stranger, mother loses right of Hazanat as otherwise she has till the age of puberty in case of female and age of 7-years in case of male. AW-1 / Nasreen Akhter mother and Special Attorney of respondent No.2 appeared as AW-1 and admitted marriage of respondent No.2 with Jamshaid Ahmad Gachha. Similarly AW-2/

Muhammad Daud real brother of respondent No.2 candidly admitted in his cross examination that Beenish contracted second marriage with Jamshaid Iqbal and is now living with him. Where mother contracts second marriage, she loses the right of custody of her minor child.

Reliance is placed on 2022 MLD 55 High Court Azad Kashmir & 2018 CLC 767 Lahore High Court Lahore & 2018 CLC 452 Islamabad.

- e. That learned trial court ignored the fact that how step father could be expected to provide such love and affection which could be provided by real grandparents. Reliance is placed on 2019 CLCN 47 Karachi High Court Sindh.
- f. That learned trial court ignored the fact that while determining the custody of Female Ward in terms of Section 17 of Guardian & Wards Act 1890, the question of chastity to be jealously guarded, if the mother of female daughter had contracted second marriage with stranger, she had lost her right of Hazanat. Reliance is placed on 2018 MLD 591 Quetta High Court, Balochistan & 2018 YLR 1771 Quetta High Court, Balochistan.
- g. That learned trial court ignored the basic principle of welfare of the minor in deciding

the guardian petition. Welfare of the minor to be determined while keeping in view the mental, intellectual, moral and spiritual wellbeing. Guardian Court has also to look into qualification of parents, the age, gender, religion of the minor, the character and capacity of the proposed guardian and his/her nearness of kin to the minor as provided under Section 17 of the Guardian and Wards Act 1890. Welfare of the minor was to prevail and should be the supreme consideration for deciding the issue of her custody. Record revealed that as a consequence of compromise between the parties Mark-R1, maintenance was being provided by the appellants. Mother herself not appeared in the witness box to rebut this assertion of the appellants. Respondent No.2 was bound to establish some exceptional circumstances which could lead the court to come to the conclusion that welfare of the minor lay with the mother but she failed. Reliance is placed on 2018 CLC 382 Lahore High Court, Lahore.

h. That the learned trial court ignored the fact that the agreement regarding custody of minor dated 08.10.2021 Mark-R1 was validly executed between the parties in presence of real brother of respondent No.2 and in presence of marginal

witnesses namely Basharat Ali Dogar and Shaukat Ali Khan and both these witnesses appeared in the witness box to support the agreement Mark-R1 and in this way Mark-R1 was proved according to law but learned trial court rejected Mark-R1 without any backing of law and without any speaking order, Clause-6 of the Mark-R1 clearly mentioned the handing over custody of minor to appellants in case of second marriage of respondent No.2. Mark-R1 is not void document as it is permissible under the law for any person to execute any valid agreement regarding custody of children.

- i. That the learned trial court/ Guardian Judge has passed the impugned order without applying the judicial and judicious mind and it is against the facts which have been narrated in the application of the appellants.
- j. That the impugned order is result of surmises and conjectures.
- k. That the impugned order is harsh in nature.
- l. That the impugned order is unjust and quite illegal.
- m. That the welfare of minor has totally been ignored by trial court while passing impugned order.

- n. That the verdict of the learned trial court is based on surmises and conjectures which is liable to be set aside.
- o. That the impugned order dated 05.12.2023 is harsh and un-just and has not been passed in accordance with the circumstances as well facts of the case.
- p. That the impugned order dated 05.12.2023 is based on surmises and conjectures and while passing the impugned order the trial court has not applied its judicial mind and the same has been passed in a hasty manner.

PRAYER:

Under the circumstances, it is, therefore, most respectfully prayed that the appeal may kindly be accepted and the impugned order dated 05.12.2023 may kindly be set-aside in the interest of justice, equity and fair play and consequently Guardian Petition filed by Beenish Ammar for permanent custody of minor may kindly be dismissed.

Any other relief which this Honourable Court deems fit and proper may also be awarded.

APPELLANTS

Through

Rai Tanveer Arshad Khan
Advocate Supreme Court
13-Fane Road, Lahore.

Azhar Abbas Sandhila
Advocate High Court
Aiwan-e-Adal, Lahore.
Cell # 0300-4925003

CERTIFICATE:

As per information provided by my client this is the first appeal on the subject matter.

Advocate

IN THE COURT OF ADDITIONAL DISTRICUT JUDGE , FEROZEWALA.

In re:

Mian Naseer Ahmad etc. Vs. Public-at-large etc.

(GUARDIAN APPEAL)

AFFIDAVIT OF: *Mian Naseer Ahmad son of Muhammad Sharif, resident of House No. 448/K, Phase-V, DHA, Lahore.*

I the above named deponent solemnly affirm and declare on Oath as under:

That the contents of the accompanying "**Appeal**" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

DEPONENT

VERIFICATION:

Verified on Oath at Ferozewala this 03rd day of January, 2024 that the contents of the above affidavit are true and

*correct to the best of my knowledge and belief and
nothing has been concealed therein.*

DEPONENT

IN THE COURT OF ADDITIONAL DISTRICUT JUDGE, FEROZEWALA.

In re:

Mian Naseer Ahmad etc. Vs. Public-at-large etc.

(GUARDIAN APPEAL)

APPLICATION FOR GRANT OF INTERIM INJUNCTION.

Respectfully Sheweth:

1. That the petitioners have filed the above titled appeal in this Honourable Court in which no date of hearing has yet been fixed.
2. That the contents of the appeal may kindly be read as an integral part and parcel of this application.
3. That petitioners have a good *prima facie* appeal in their favour and the same is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioners and against the respondents.

5. That if the impugned order of the trial court is not suspended/held in abeyance, the petitioners shall suffer irreparable loss and injury.

PRAAYER:

Under the above circumstances it is, therefore, most respectfully prayed that during the pendency of the appeal the operation of the impugned order dated 05.12.2023 may kindly be suspended.

Petitioners

Through

Rai Tanveer Arshad Khan
Advocate Supreme Court
13-Fane Road, Lahore.

Azhar Abbas Sandhila
Advocate High Court
Aiwan-e-Adal, Lahore.
Cell # 0300-4925003

IN THE COURT OF ADDITIONAL DISTRICUT JUDGE, FEROZEWALA.

In re:

Mian Naseer Ahmad etc. Vs. Public-at-large etc.

(GUARDIAN APPEAL)

APPLICATION FOR GRANT OF INTERIM INJUNCTION.

AFFIDAVIT OF: *Mian Naseer Ahmad son of Muhammad Sharif, resident of House No.448/K, Phase-V, DHA, Lahore.*

I the above named deponent solemnly affirm and declare on Oath as under:

That the contents of the accompanying "Application" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

DEPONENT

VERIFICATION:

Verified on Oath at Ferozewala this 03rd day of January, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

DEPONENT

IN THE COURT OF ADDITIONAL DISTRICT JUDGE, FEROZEWALA.

In re:

Mian Naseer Ahmad etc. Vs. Public-at-large etc.

INDEX

S. #	DESCRIPTION OF DOCUMENT	PAGES
1.	<i>Appeal with affidavit</i>	
2.	<i>Copy of impugned order and relevant documents</i>	
3.	<i>Stay application with affidavit</i>	
4.	<i>Power of attorney.</i>	

Appellants

Through

Rai Tanveer Arshad Khan
Advocate Supreme Court

Azhar Abbas Sandhila
Advocate High Court

13-Fane Road, Lahore.

Aiwan-e-Adal, Lahore.
Cell # 0300-4925003

IN THE COURT OF WORTHY SENIOR GUARDIAN JUDGE,
LAHORE.

Naima Zia daughter of Syed Zia Ullah Shah, resident of House No.9-E, New Campus Punjab University, Lahore.

Public-at-Large.

VERSUS

Petitioner

Respondent

**PETITION UNDER SECTION 7 & 10 OF THE GUARDIAN AND
WARDS ACT FOR THE APPOINTMENT OF GUARDIAN.**

Respectfully Sheweth:-

The petitioner is a widow and intends to be appointed as the guardian of
the minors being the real mother of the minors for the welfare and interest.

1.	Name, Sex, Religion, Date of birth and ordinary residence of the minors.	Abdullah Yousaf (son) date of birth 06.05.2017
----	--	--

2.	If the minor is female, whether she is married and if so, the name and age of the husband.	Nil
3.	The nature, situation and approximate value of the property, if any, of the minors.	For the person of the minor
4.	Name and residence of the person having the custody or possession of the person and property of the minors.	Petitioner
5.	What near relations the minors have and where they reside.	Petitioner and address given above.
6.	Whether a guardian of the person or property both of the minors has been appointed by any person entitled or claimed to be entitled by any law to which the minor subject to make such an appointment.	No
7.	Whether an application has at any time being made to the court or to any other court with respect to the guardianship of the person or property, or both of the minor, and if so, when to what court and with what result;	No

8.	Whether the application is for the appointment of declaration of a guardian of the person of the minor, or of his property, or of both;	Both
9.	Whether the application is to appoint a guardian, the qualifications of the proposed guardian;	Being a mother as a natural guardian.
10.	Whether the application is to declare a person to be a guardian, the grounds on which that person claims;	Being a natural guardian as a mother of the minor.
11.	The causes which have led to the making of the application;	For the welfare and proper upbringing of the minor appointment of their guardian is necessary.
12.	Such other particulars, if any as may be prescribed or as the nature of the application renders it necessary to state.	For the petitioner and care of the property of the minor for their better future.

Petitioner

Through

*Advocate High Court
Aiwan-e-Adal, Lahore.*

VERIFICATION:-

Verified on Oath at Lahore this ____ day of February, 2024 that the contents of the above petition are correct and true to the best of my knowledge and belief and nothing has been concealed or mis-stated thereof.

Petitioner

DECLARATION:-

I, the above named petitioner do hereby declare that I, being the proposed guardian of the minor, is ready and willing to accept and act as the guardian of the above named minor.

Petitioner

WITNESSES:-

1. _____ 2. _____

IN THE COURT OF WORTHY SENIOR GUARDIAN JUDGE,
LAHORE.

In re:

Naima Zia **Vs.** Public-at-Large

**PETITION UNDER SECTION 7 & 10 OF THE GUARDIAN AND
WARDS ACT FOR THE APPOINTMENT OF GUARDIAN.**

AFFIDAVIT OF: Naima Zia daughter of Syed Zia Ullah Shah, resident of House No.9-E, New Campus Punjab University, Lahore.

I the above named deponent do hereby solemnly declare and affirm as under:

That the contents of accompanying **Application** may kindly be read as integral part of this affidavit and the contents therein are true and correct and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this day of February, 2024 which the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

Deponent

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

Mst. Naila Azam daughter of Muhammad Azam, resident of

Plaintiff

V E R S U S

***Salah-ud-Din son of Muhammad Saleem, resident of Post Office
Narang Mandi, Tehsil Ferozewala, District Sheikhupura.***

Defendant

**SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA,
RECOVERY OF MAINTENANCE ALLOWANCE AND RECOVERY OF
DOWRY ARTICLES.**

Respectfully Sheweth:-

1. That tersely the facts necessitating for the filing of instant family suit are that the plaintiff married to defendant on 29.05.2022 in accordance with the Muslim Rites & Rituals. It is pertinent to mention here that at the time of marriage the parents of the plaintiff gave dowry articles and gold ornaments amounting to Rs. _____/-, which are in the illegal custody of the defendant. Copy of Nikahnama and list of dowry articles is attached herewith.
2. That out of this wedlock no issue born.
3. That from the very beginning of marriage, it transpired upon the plaintiff that the defendant is barbaric nature and quarrelsome person and whenever the plaintiff raised objection and demonstration regarding the activities of the defendant, the defendant started to beat the plaintiff and made her life miserable. The defendant miserably failed to provide maintenance allowance to the plaintiff.
4. That _____, the defendant kicked out the plaintiff from his house in three wearing clothes and snatched all of the dowry articles and golden ornaments and other belongings of the plaintiff and since then the plaintiff is residing in the house of her parents.
5. That during this whole period of desertion, the defendant did not bother to visit the parental house of the plaintiff to see the plaintiff and did not pay even a single penny to the plaintiff as maintenance allowance, as under the law it is the duty and

- obligation of the defendant to maintain the plaintiff.
6. That the defendant is a property dealer and he is earning a handsome and attractive amount more than Rs.80,000/- per month, but he ignored his obligations and avoided to maintain the plaintiff. It is the legal right of plaintiff to demand the maintenance at the rate of Rs.20,000/- per month with 10% increase annually in future from the defendant.
 7. That the plaintiff many times approached the defendant and requested him to pay the maintenance allowance at the above said rate and return the dowry articles as per list appended with plaint but the defendant postponed the matter from one pretext or the other.
 8. That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by law, great hatred has been developed in the heart and soul of plaintiff against defendant and the plaintiff prefers death as to live with defendant, therefore, the plaintiff seeks dissolution of marriage on the basis of Khula.
 9. That the defendant has been asked by the plaintiff, through her parents, that he may divorce the

plaintiff, but he has paid no heed to it and a week earlier he has refused to do so, hence this suit.

10. That the cause of action arose in favour of the plaintiff and against the defendant firstly when the defendant kicked out the plaintiff from his house and lastly when the defendant refused to pay the maintenance to the plaintiff Rs.20,000/- per month and the same is still continuing.
11. That the plaintiff is residing at Lahore and the cause of action also accrued at Lahore, hence this Hon'able Court has got the jurisdiction to adjudicate the matter.
12. That the requisite court fee has been affixed upon the plaint.

PRAYER:

Under the submissions made above, it is most respectfully prayed that a decree of Dissolution of marriage on the basis of Khula may kindly be passed in favour of the plaintiff and against the defendant.

It is further prayed that a decree for recovery of maintenance allowance @ Rs.20,000/- per month (plaintiff) may very kindly be passed in favour of the plaintiff against the defendant with 10% increase annually to meet the ends of justice.

It is further prayed that a decree for the past maintenance allowance @ Rs.20,000/- per month from _____ to uptoil now may kindly be passed in favour of the plaintiff and against the defendant.

It is further prayed that the defendant may kindly be directed to pay Rs.20,000/- per month to the plaintiff as an interim maintenance allowance till the final disposal of the main suit.

It is further prayed that a decree for recovery of dowry articles as per list appended with plaint or its alternative amount of Rs._____/- may kindly be passed in favour of

the plaintiff and against the defendant, in the interest of justice.

Any other relief which this Hon'able Court deems fit and proper may also kindly be awarded.

Plaintiff

Through

Shahid Shaukat Chaudhary
Advocate High Court

Muhammad Naeem Sandhu
Advocate High Court

VERIFICATION:

Verified on Oath at Lahore, this day of November, 2023 that the contents of the above plaint from Paras 1 to 7 are true and correct to the best of my knowledge and rest of the Paras 8 to 10 are correct to the best of my information and belief.

Plaintiff

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Naila Azam

Vs.

Salah-ud-Din

(SUIT FOR DISSOLUTION ETC)

SCHEDULE OF WITNESSES:

1. **Bashir Ahmed son of Ghulam Haider**
2. **Muhammad Azam (father of the plaintiff)**
3. **Plaintiff herself.**

All the witnesses shall support the version of the plaintiff.

Plaintiff

Through

Shahid Shaukat Chaudhary
Advocate High Court

Muhammad Naeem Sandhu
Advocate High Court

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Naila Azam

vs.

Salah-ud-Din

(SUIT FOR DISSOLUTION ETC)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT, 1964 FOR THE
GRANT OF INTERIM MAINTENANCE ALLOWANCE.**

Respectfully Sheweth:-

1. That the petitioner has filed the above titled suit in this Honourable Court in which no date of hearing has yet been fixed.
2. That the contents of the suit may kindly be read as an integral part and parcel of this application.
3. That petitioner has a good *prima facie* case in her favour and the suit is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioner and against the respondent.
5. That if the interim relief as prayed for is not granted, the petitioner shall suffer irreparable loss and injury.

***Under the above circumstances it is, therefore,
most respectfully prayed that the respondent may
kindly be directed to pay interim maintenance
allowance @ Rs.20,000/- per month to the petitioner till
the final decision of the suit.***

Petitioner

Through

Shahid Shaikat Chaudhary
Advocate High Court

Muhammad Naeem Sandhu
Advocate High Court

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Naila Azam *Vs.* *Salah-ud-Din*

(SUIT FOR DISSOLUTION ETC)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT,
1964 FOR THE GRANT OF INTERIM MAINTENANCE
ALLOWANCE.**

AFFIDAVIT OF: *Mst. Naila Azam daughter of Muhammad Azam, resident of*

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this day of November, 2023 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

Deponent

IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS OF JUDGE FAMILY COURT, LAHORE.

1. *Mst. Nadia Parveen daughter of Muhammad Younas, resident of House No.119-F Block, Jubli Town, Lahore.*
2. *Fida Hussain aged about 4-years son of Muhammad Ammad Ahmed Khan*
3. *Wahaj Hassan aged about 1-year son of Muhammad Ammad Ahmed Khan*

4.

(*Minors through real mother plaintiff No.1*)

Plaintiffs

V E R S U S

Muhammad Ammad Ahmed Khan son of Imdad Ahmed Khan, resident of House No.P-2618, Street No.4, Hajveri Town, Block-B, Faisalabad.

Defendant

SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE.

Respectfully Sheweth:-

1. That tersely the facts necessitating for the filing of instant Family Suit are that plaintiff No.1 married to the defendant on 17.06.2019 in accordance with the Muslim Rites. Copy of Nikahnama is attached herewith.

2. That out of this wedlock plaintiffs No.2 and 3 were born, who are residing with plaintiff No.1 and plaintiff No.1 is enduring all the expenses of feed, cloths, medication etc.

3. That after marriage for some time relations between the parties remained cordial but later on the defendant and his two sisters changed his attitude and started quarrel with plaintiff No.1 on petty household matters and also started to beat and maltreat plaintiff No.1 and made her life miserable.
4. That 07-months ago, the defendant deserted plaintiff No.1 from his house in three wearing clothes and since then plaintiff No.1 is residing in the house of her parents.
5. That during this whole period of desertion, the defendant did not bother to visit the parental house of plaintiff No.1 to see the plaintiffs and did not pay a single penny to the plaintiffs as maintenance, as under the law it is the duty and obligation of the defendant to maintain the plaintiffs.

6. That the defendant is a Manager in Garments Factory and he is earning a handsome and attractive amount more than Rs.100,000/- per month, but he ignored his obligations and avoided to maintain the plaintiffs. It is the legal right of plaintiffs to demand the maintenance at the rate of Rs.15,000/- per month each with 10% increase annually in future from the defendant.
7. That plaintiff No.1 numerously approached the defendant and requested him to pay the maintenance allowance at the above said rate but the defendant postponed the matter of payment upon one pretext or the other.
8. That the cause of action arose in favour of the plaintiff and against the defendant firstly when the defendant kicked out plaintiff No.1 from his house and lastly when the defendant refused to pay the maintenance to the plaintiffs Rs.15,000/- per month each and the same is still continuing.
9. That the plaintiffs are residing at Lahore and the cause of action also accrued at Lahore, hence

this Hon'able Court has got the jurisdiction to adjudicate the matter.

10. That the requisite court fee has been affixed upon the plaint.

PRAYER:

In view of the above submissions, it is therefore, most respectfully prayed that a decree for recovery of maintenance allowance @ Rs.15,000/- per month (each plaintiff) may very kindly be passed in favour of the plaintiffs against the defendant with 10% increase annually to meet the ends of justice.

It is further prayed that a decree for the past maintenance allowance @ Rs.15,000/- per month from desertion to upto now may kindly be passed in favour of the plaintiffs and against the defendant.

It is further prayed that the defendant may kindly be directed to pay Rs.15,000/- per month to each plaintiff, as an interim maintenance allowance till the final disposal of the main suit.

Any other relief which this Hon'able Court deems fit and proper may also kindly be awarded.

Plaintiffs

Through

Rana Anwar-ul-Haq
Advocate High Court
Al-Noor Building, 1st Floor,
4-Mozang Road, Lahore.

VERIFICATION:

Verified on Oath at Lahore, this day of March, 2024
that the contents of the above plaint from Paras 1 to 7
are true and correct to the best of my knowledge and
rest of the Paras 8 to 10 are correct to the best of my
information and belief.

Plaintiffs

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Nadia Parveen etc.

Vs.

Muhammad Ammad Ahmed Khan

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

SCHEDEULE OF WITNESSES:

1. Plaintiff No.1 herself.

All the witnesses shall support the version of the plaintiff.

Plaintiffs

Through

Rana Anwar-ul-Haq
Advocate High Court
Al-Noor Building, 1st Floor,
4-Mozang Road, Lahore.

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Nadia Parveen etc. Vs. Muhammad Ammad Ahmed Khan

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT,
1964 FOR THE GRANT OF INTERIM MAINTENANCE
ALLOWANCE.**

Respectfully Sheweth:-

1. That the petitioners have filed the above titled suit in this Honourable Court in which no date of hearing has yet been fixed.
2. That the contents of the suit may kindly be read as an integral part and parcel of this application.
3. That petitioners have a good *prima facie* case in his favour and the suit is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioners and against the respondent.
5. That if the interim relief as prayed for is not granted, the petitioners shall suffer irreparable loss and injury.

***Under the above circumstances it is, therefore,
most respectfully prayed that the respondent may
kindly be directed to pay interim maintenance
allowance @ Rs.15,000/- per month to the each
petitioner till the final decision of the suit.***

Petitioners

Through

Rana Anwar-ul-Haq
Advocate High Court
Al-Noor Building, 1st Floor,
4-Mozang Road, Lahore.

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Nadia Parveen etc. Vs. Muhammad Ammad Ahmed Khan

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT,
1964 FOR THE GRANT OF INTERIM MAINTENANCE
ALLOWANCE.**

AFFIDAVIT OF: *Mst. Nadia Parveen daughter of
Muhammad Younas, resident of House
No.119-F Block, Jubli Town, Lahore.*

I the above named deponent do hereby solemnly affirm and
declare as under:

That the contents of accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this day of March, 2024 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

Deponent

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

1. *Mst. Misbah daughter of Mubarik Ali, resident of Jathol, Post Office Kamahan, Teshil Cantt., District Lahore.*
2. *Muhammad Husnain date of birth 08.11.2019 son of Muhammad Azeem*

3. *Muhammad Hassan date of birth 28.06.2021 son of Muhammad Azeem*
4. *Zahra date of birth 07.06.2022 daughter of Muhammad Azeem*
(Minors through real mother plaintiff No.1)

Plaintiffs

V E R S U S

Muhammad Azeem son of Ali Muhammad, resident of Village Shahzada, Post Office Kahna Nau, Tehsil Cantt., District Lahore.

Defendant

SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE.

Respectfully Sheweth:-

1. That tersely the facts necessitating for the filing of instant Family Suit are that plaintiff No.1 married to the defendant on 16.04.2018 in accordance with the Muslim Rites and at the time of marriage the parents of the plaintiff No.1 gave precious dowry articles and gold ornaments to the plaintiff No.1, which are in the custody of the defendant and plaintiff No.1 has right to

file separate suit for recovery of dowry articles at any time. Copy of Nikahnama is attached herewith.

2. That out of this wedlock plaintiffs No.2 to 4 were born, who are residing with plaintiff No.1 and plaintiff No.1 is enduring all the expenses of feed, cloths, medication etc. It is pertinent to mention here that the one daughter namely Anabiya was born 07.06.2022 and she was died on 28.11.2023 due to illness.
3. That after marriage for some time relations between the parties remained cordial but later on the defendant changed his attitude and started quarrel with plaintiff No.1 on petty household matters and also started to beat and maltreat plaintiff No.1 and made her life miserable.
4. That 8-months ago, the defendant deserted plaintiff No.1 alongwith minors from his house in three wearing clothes after snatching the dowry

articles and golden ornaments belonging to plaintiff No.1 and since then plaintiff No.1 is residing in the house of her parents and the parents of the plaintiff No.1 bearing all the expenses of plaintiffs.

5. That during this whole period of desertion, the defendant did not bother to visit the parental house of plaintiff No.1 to see the plaintiffs and did not pay a single penny to the plaintiffs as maintenance, as under the law it is the duty and obligation of the defendant to maintain the plaintiffs.

6. That the defendant is working as contractor/Thaikaidar of stitching in Tents Factory and he is also working part time as salesman of vegetables & fruits in the morning at Sabzi Mandi and and he earns attractive and handsome amount more than Rs.150,000/- per month, but he ignored his obligations and avoided to

maintain the plaintiffs. It is the legal right of plaintiffs to demand the maintenance at the rate of Rs.15,000/- per month each with 10% increase annually in future from the defendant.

7. That plaintiff No.1 numerously approached the defendant and requested him to pay the maintenance allowance at the above said rate but the defendant postponed the matter of payment upon one pretext or the other.
8. That the cause of action arose in favour of the plaintiff and against the defendant firstly when the defendant kicked out plaintiff No.1 from his house and lastly when the defendant refused to pay the maintenance to the plaintiffs Rs.15,000/- per month each and the same is still continuing.
9. That the plaintiffs are residing at Lahore and the cause of action also accrued at Lahore, hence

this Hon'able Court has got the jurisdiction to adjudicate the matter.

10. That the requisite court fee has been affixed upon the plaint.

PRAYER:

In view of the above submissions, it is therefore, most respectfully prayed that a decree for recovery of maintenance allowance @ Rs.15,000/- per month (each plaintiff) may very kindly be passed in favour of the plaintiffs against the defendant with 10% increase annually to meet the ends of justice.

It is further prayed that a decree for the past maintenance allowance @ Rs.15,000/- per month from desertion to uptoil now may kindly be passed in favour of the plaintiffs and against the defendant.

It is further prayed that the defendant may kindly be directed to pay Rs.15,000/- per month to each plaintiff, as an interim maintenance allowance till the final disposal of the main suit.

Any other relief which this Hon'able Court deems fit and proper may also kindly be awarded.

Plaintiffs

Through

Muhammad Shahbaz Khan
Advocate High Court
68-Model Town Courts, Lahore.

VERIFICATION:

Verified on Oath at Lahore, this 19th day of December, 2023
that the contents of the above plaint from Paras 1 to 7
are true and correct to the best of my knowledge and
rest of the Paras 8 to 10 are correct to the best of my
information and belief.

Plaintiffs

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Misbah etc. Vs. Muhammad Azeem

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

SCHEDULE OF WITNESSES:

1. **Mubarik Ali son of Ghulam Muhammad (father of plaintiff No.1)**
2. **Asif Ali son of Mubarik Ali (brother of plaintiff No.1)**
3. **Plaintiff No.1 herself.**

All the witnesses shall support the version of the plaintiff.

Plaintiffs

Through

Muhammad Shahbaz Khan
Advocate High Court
68-Model Town Courts, Lahore.

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Misbah etc. Vs. Muhammad Azeem

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT,
1964 FOR THE GRANT OF INTERIM MAINTENANCE
ALLOWANCE.**

Respectfully Sheweth:-

1. That the petitioners have filed the above titled suit in this Honourable Court in which no date of hearing has yet been fixed.
2. That the contents of the suit may kindly be read as an integral part and parcel of this application.
3. That petitioners have a good *prima facie* case in his favour and the suit is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioners and against the respondent.
5. That if the interim relief as prayed for is not granted, the petitioners shall suffer irreparable loss and injury.

***Under the above circumstances it is, therefore,
most respectfully prayed that the respondent may
kindly be directed to pay interim maintenance
allowance @ Rs.15,000/- per month to the each
petitioner till the final decision of the suit.***

Petitioners

Through

Muhammad Shahbaz Khan
Advocate High Court
68-Model Town Courts, Lahore.

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Misbah etc. Vs. Muhammad Azeem

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT,
1964 FOR THE GRANT OF INTERIM MAINTENANCE
ALLOWANCE.**

AFFIDAVIT OF: *Mst. Misbah daughter of Mubarik Ali,
resident of Jathol, Post Office
Kamahan, Teshil Cantt., District
Lahore.*

I the above named deponent do hereby solemnly affirm and
declare as under:

That the contents of accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this 19th day of December, 2023 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

Deponent

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MST. MEERAB ZEESHAN

Daughter of Zeeshan Younas, resident of Street No.3, Sector-C-I, Township, Lahore.

Plaintiff

VERSUS

BILAL MUBASHIR

Son of Mubashir Ikram Chaudhry, resident of House No.140-s/11-m, Mohallah Jinnah Colony, Pir Ghazi Road, Lahore.

Defendant

SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA.

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant on 12.06.2021 according to Muslim Rites and Sunnah. Copy of Nikkah Nama is attached for kind perusal.
- 2- That out of this wedlock _____ progeny born.
- 3- That at the time of marriage the parents of the plaintiff gave precious dowry articles to the plaintiff, which are in the possession of the defendant.
- 4- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff as maintenance allowance.

- 5- That the defendant is cruel temperament person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 6- That _____, the defendant after giving her severs beating, and snatching all her belongings, including the ornaments, the defendant ousted the plaintiff from his house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address.
- 7- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.
- 8- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.
- 9- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house

and finally when the defendant flatly refused to listen the request of the plaintiff and the same is still continue.

- 10- That the **parties** to the suit are residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.
- 11- That the prescribed court fee has been affixed on the plaint.

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

Through:

Muhammad Tabsheer
Advocate High Court

VERIFICATION:

Verified on Oath at this ____ day of February, 2024 that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Meerab Zeeshan **Vs.** Bilal Mubashir

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA)

SCHEDULE OF WITNESSES:

1. Plaintiff herself.

All the witnesses shall support the averments of the plaint and version of the plaintiff.

Plaintiff

Through:

Muhammad Tabsheer
Advocate High Court
IN THE COURT OF GUARDIAN JUDGE, LAHORE.

Guardian Petition No. _____ /2023

Mst. Maryam Abdullah wife of Abdullah Tahir, daughter
of Mehmood Ahmed, resident of House No.13-1, Birdwood
Road near Lawrence Road, Lahore.

Petitioner

V E R S U S

Abdullah Tahir son of Tahir Rehman, resident of House
No.147, Modal Town, Block-L, Extension, Lahore.

Respondent

PETITION UNDER SECTION 25 & 7 OF GUARDIAN & WARDS ACT
1890 FOR THE PERMANENT CUSTODY OF MINOR SULEMAN DATE OF
BIRTH 25.12.2022.

Respectfully Sheweth:-

1. That the brief facts of the Guardian Petition are that the petitioner married to the respondent in accordance to Muslim Rites on 26.11.2021.
2. That out of this lawful wedlock minor namely Suleman son of Abdullah Tahir was born who is alive and presently is in the custody of petitioner.
3. That the petitioner seeks the permanent custody of the minor on the following amongst other:-

GROUNDS

- a. That the respondent is unable to provide proper attention, education, feed, medication

to the minor, resultantly the future of minor ward would definitely be insecure.

- b. That the petitioner being the real mother of the minor has a preferential right to Hazanat.
- c. That the welfare and interests of the minor lie with the petitioner and if the custody of the minor is not permanently handed over/ remained with the petitioner, the minor ward will suffer mentally and physically.
- d. That in whole of the world there is no alternate of mother for minor.
- e. That the petitioner and minor from the first breath of minor are affiliated and united to each other.

- f. That it is settled law the lap of mother is lap of God.
 - g. That the petitioner has great love and affection with minor.
 - h. That the petitioner and minor both cannot be separated from each other.
4. That a week before the respondent tried to snatch the custody of the minor from the petitioner, but due to severe resistance of the petitioner and other respectable persons the respondent failed to do and he is adamant to remove the custody of the minor from petitioner, hence this petition.
5. That the cause of action arose when the respondent started his illegal activities secondly when the respondent tried to snatch the

custody of the minor from the petitioner and the same cause of action is still continuous.

6. That the petitioner alongwith minor is residing at Lahore, cause of action accrued at Lahore, hence, this Hon'able Court has got jurisdiction to adjudicate upon the matter.
7. That the requisite court fee has been affixed upon the petition.

PRAYER

UNDER THE ABOVE CIRCUMSTANCES, it is, therefore, most respectfully prayed that the petitioner may very kindly be appointed as guardian of the minor and permanent custody of the minor may kindly be remained with petitioner.

It is further prayed that the respondent may kindly be restrained from snatching the custody of the minor from the lawful custody of the petitioner.

Any other relief which this Hon'able Court deems fit may also be awarded.

Petitioner

Through

Sheikh Fazal-e-Ali
Advocate High Court
Aiwan-e-Adal, Lahore.

VERIFICATION

Verified on Oath at Lahore, this 08th day of December, 2023 that the contents of the above petition from Paras No.1 to 4 are true and correct to the best of my knowledge and rest of the Paras No.5 to 7 correct to the best of my information and belief.

Petitioner

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

In re:-

Mst. Maryam Abdullah Vs. Abdullah Tahir

(GUARDIAN PETITION)

APPLICATION FOR THE GRANT OF STAY ORDER.

Respectfully Sheweth; -

1. That the above titled petition has filed before this

Hon'ble Court in which no date of hearing has been
fixed as yet.

2. That the contents of the main petition may kindly be

read as an integral part of the said application.

3. That the petitioner is capable of providing better nourishment to the minor children.
4. That the petitioner has good *prima facie* and arguable case and there is every likelihood for his success.
5. That the balance of convenience lies in favour of the petitioner.
6. That if the interim relief is not granted as prayed for the petitioner as well as the minor would suffer irreparable loss and injury.

It is, therefore, most respectfully prayed that the respondent may very kindly be restrained from snatching the custody of the minor from the petitioner till the final decision of this petition.

Ad-interim injunctive order may also be passed.

Petitioner

Through

Sheikh Fazal-e-Ali
Advocate High Court

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

In re:-

Mst. Maryam Abdullah Vs. Abdullah Tahir

(GUARDIAN PETITION)

APPLICATION FOR THE GRANT OF STAY ORDER.

AFFIDAVIT OF: Mst. Maryam Abdullah wife of Abdullah Tahir, daughter of Mehmood Ahmed, resident of House No.13-1, Birdwood Road near Lawrence Road, Lahore.

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying "Application" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

*Verified on Oath at Lahore this day 08th of December, 2023
which the contents of above affidavit are true and correct to the
best of my knowledge and belief and nothing has been
concealed therein.*

Deponent

IN THE COURT OF SENIOR JUDGE
WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MST. BARBARA

Daughter of Muhammad _____ resident of

Plaintiff

VERSUS

JASON

Son of Muhammad _____ resident of

Defendant

**SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA.**

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant on _____ according to Muslim Rites and Sunnah. Copy of Nikkah Nama is attached for kind perusal.
- 2- That out of this wedlock no progeny born.
- 3- That at the time of marriage the parents of the plaintiff gave precious dowry articles to the plaintiff, which are in the possession of the defendant.
- 4- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff as maintenance allowance.

- 5- That the defendant is cruel temperament person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 6- That _____, the defendant after giving her severs beating, and snatching all her belongings, including the ornaments, the defendant ousted the plaintiff from his house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address.
- 7- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.

- 8- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.
- 9- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house and finally when the defendant flatly refused to listen the request of the plaintiff and the same is still continue.
- 10- That the **parties** to the suit are residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.
- 11- That the prescribed court fee has been affixed on the plaint.

***In view of the above submissions, it is therefore,
most respectfully prayed that a***

decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

Through:

Muhammad Tabsheer
Advocate High Court
Aiwan-e-Adal, Lahore.

VERIFICATION:

Verified on Oath at this day of December, 2023 that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Barbara **Vs.** Jason

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

SCHEDULE OF WITNESSES:

- 1.
- 2.
3. Plaintiff herself.

All the witnesses shall support the averments of the plaint and version of the plaintiff.

Plaintiff

Through:

Muhammad Tabsheer
Advocate High Court
Aiwan-e-Adal, Lahore.

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Barbara **Vs.** Jason

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

AFFIDAVIT FOR NON-AVAILABILITY OF NIKKAH NAMA.

AFFIDAVIT OF: Mst. Barbara daughter of

*I the above named deponent do hereby solemnly affirm and
declare as under:*

*That the plaintiff married to the defendant, Nikkah Nama is in
possession of defendant, the plaintiff is swearing this affidavit for
obtaining Khula.*

DEPONENT

VERIFICATION:

Verified on Oath at Lahore this ____ day of December, 2023 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

DEPONENT

IN THE COURT OF SENIOR JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MAHWISH MANSOOR

*Daughter of Maut-u-lah resident of House No.58, Street Tayyaba,
Mohallah Madina Shadi Hall Garhi Shahu, Lahore.*

Plaintiff

VERSUS

MUHAMMAD MANSOOR

*Son of Muhammad Anwar resident of House No.53, Block-C, Unit 16,
Latifabad Hyderabad.*

Defendant

**SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA.**

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant on 17.08.2020 according to Muslim Rites and Sunnah. Copy of Nikkah Nama is attached for kind perusal.
- 2- That out of this wedlock no progeny born.
- 3- That at the time of marriage the parents of the plaintiff gave precious dowry articles to the plaintiff, which are in the possession of the defendant.
- 4- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff as maintenance allowance.

- 5- That the defendant is cruel temperament person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 6- That Nine months ago, the defendant after giving her severs beating, and snatching all her belongings, including the ornaments, the defendant ousted the plaintiff from his house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address.
- 7- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.

- 8- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.
- 9- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house and finally when the defendant flatly refused to listen the request of the plaintiff and the same is still continue.
- 10- That the plaintiff is residing in Lahore with her parents hence this honorable court has jurisdiction to entertain and decide the suit.
- 11- That the prescribed court fee has been affixed on the plaint.

***In view of the above submissions, it is therefore,
most respectfully prayed that a***

decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

Through:

Farhana Affaq
Advocate High Court
6-Allama Iqbal Road Garhi Shahi Lahore

VERIFICATION:

Verified on Oath at this 15th day of April, 2024 that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mahwish Mansoor **vs.** Muhammad Mansoor

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

SCHEDULE OF WITNESSES:

- 1.
- 2.
3. Plaintiff herself.

All the witnesses shall support the averments of the plaint and version of the plaintiff.

Plaintiff

Through:

Farhana Affaq

Advocate High Court

6-Allama Iqbal Road Garhi Shahu Lahore

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mahwish Mansoor **vs.** Muhammad Mansoor

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

AFFIDAVIT FOR NON-AVAILABILITY OF NIKKAH NAMA.

AFFIDAVIT OF: Mahwish Mansoor daughter of

*I the above named deponent do hereby solemnly affirm and
declare as under:*

*That the plaintiff married to the defendant, Nikkah Nama is in
possession of defendant, the plaintiff is swearing this affidavit for
obtaining Khula.*

DEPONENT

VERIFICATION:

Verified on Oath at Lahore this 15th day of April, 2024 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

DEPONENT

**IN THE COURT OF SENIOR CIVIL JUDGE WITH THE POWER OF JUDGE
FAMILY COURT, PESHAWAR.**

Mst. Mahrukh Ayesha wife of Ashfaq Ahmed daughter of Dr. Professor Akhter Ali, resident of House No.47, Street No.1, Sector-G-4, Phase-II, Hayat Abad, Peshawar.

Plaintiff

Versus

1. Ashfaq Ahmed son of Mian Syed Rehman, resident of Laggri Chattor, Post Office Syedo Sharif, Tehsil Babozai, District Sawat, presently Room No.1-8, Regent Street, Conventry, CV1 3EP.
2. Jamil Ahmed son of Mian Syed Rehman, resident of Laggri Chattor, Post Office Syedo Sharif, Tehsil Babozai, District Sawat.

Defendants

SUIT FOR ISSUING OF DECREE

- 1. DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA DUE TO CRUELTY, VIOLENCE, TORTURE, NON-PAYMENT OF DOWER, NON-PAYMENT OF MAINTENANCE ALLOWANCE, NON-FULFILLMENT OF CONJUGAL RIGHTS, REFUSING TO CONCEIVE CHILDREN DURING WEDLOCK.**
- 2. RECOVERY OF DOWER AMOUNT OF PAKISTANI RS.500,000/- ON DEMAND, 8-TOLAS GOLD ORNAMENTS IN THE VARIOUS FORMS OF DOWER ACCORDING TO THE NIKKAH NAMA OF THE PLAINTIFF OR ITS MARKET VALUE WHICH WILL BE DETERMINED AT THE PREVAILING MARKET PRICE AT THE TIME OF EXECUTION.**
- 3. RECOVERY OF MAINTENANCE ALLOWANCE @ RS.30,000/- PER MONTH FROM THE BEGINNING 22.03.2021 TO DISSOLUTION OF MARRIAGE AND WITH THE SAME RATIO TILL IDDAT PERIOD.**
- 4. RECOVERY OF 25-TOLAS GOLD ORNAMENTS OR ITS MARKET PRICE WHICH WERE GIVEN TO THE PLAINTIFF BY PARENTS OF THE PLAINTIFF AT THE TIME OF CEREMONIAL DEPARTURE (RUKHSATI) OF THE PLAINTIFF WHICH ARE IN POSSESSION AND UTILIZATION OF THE DEFENDANTS.**
- 5. RECOVERY OF AMOUNT OF RS.10,00,000/- WHICH IS PAID TO THE DEFENDANT SO THAT HE COULD PURCHASE DOWRY ARTICLES BY HIS OWN WILL.**
- 6. RECOVERY OF RS.300,000/- PAID IN CASH TO THE DEFENDANT NO.1 BY THE PARENTS OF THE PLAINTIFF FOR THE PURCHASE OF WEDDING CLOTHES, ETC.**
- 7. RECOVERY OF 7,000 POUNDS FOR THE TREATMENT OF THE PLAINTIFF DUE TO INHUMAN BEHAVIOR OF DEFENDANT, THE PLAINTIFF WAS UNDERGOING TREATMENT IN THE UK.**
- 8. RECOVERY OF RS.500,000/- GIFT ORNAMENTS WERE GIVEN TO THE DEFENDANT'S FAMILY MEMBERS AND A SET OF GOLD WAS GIFTED TO THE MOTHER OF DEFENDANT.**

Court fee Rs.15/- appended with plaint

The cause of action accrued some days ago filing of suit when defendant continuously refused, under the jurisdiction of this court.

Respectfully Sheweth: The plaintiff respectfully submits as under:

1. That the plaintiff married to defendant No.1 on 22.03.2021 according to Islamic Rites at Peshawar against the dower amount of Rs.500,000/-, 8-tolas gold ornaments in presence of witnesses and the parties signed Nikkah Nama. Copy of Nikkah Nama is appended.
2. That the plaintiff and defendant No.1 were known to each other and before entering into the marriage binding and explained clearly their past, present and future about there-selves as an educated and literate person, it was different matter, the facts and figures stated by defendant No.1 became fake and false, plaintiff clearly informed defendant No.1 that plaintiff's marriage/Nikkah had ended earlier and the said Nikkah marriage came to an end through Khula and also informed about her age to the defendant No.1.
3. That family members of defendants seen the plaintiff before marriage, they met the family of plaintiff at Hayat Abad, Peshawar, it is pertinent to mention here that the parents of the plaintiff are renowned doctors and professors and they have good reputation in the society. Plaintiff passed MBBS examination with excellent marks, has got many gold medals in the same field of study, observing it, defendants accepted the relation of parties, the whole family members of the defendants were apparently happy with this relationship.
4. That the Nikkah of plaintiff was solemnized with defendant No.1 at Hayat Abad Peshawar, UC-43 in presence of witnesses, Nikkah Khawan, Nikkah Registrar recited Khutba, and Nikkah was solemnized, further the custom of acceptance by the plaintiff and defendant No.1, dower amount was fixed Rs.500,000/-, 8-tolas gold ornaments was written, which are unpaid and will pay on demand but at the time of Nikkah defendant No.2 very tactfully said that the people will go to the village and they will make fun of the defendants that they belong to such respected family and defendant could not pay the dower, so the defendants further in column No.14 written that said dower has been paid, as the family of the plaintiff is well-off and neither lack nor greed for money, so accepted all the terms and conditions of the defendants.

5. That after the Nikkah/Marriage the plaintiff, a room was allocated for the plaintiff and the defendant No.1 in the plaintiff's native house and everything was brought in the best of the best were kept in that room, including electronics, curtains, furniture, carpets and all necessities of life were provided. Where ever during the stay in Pakistan, the plaintiff and the defendant No.1 spent their time, meanwhile the plaintiff and the defendant No.1 spent 2/3 days in the village at Lagrai Chatoon, District Sawat. Where the plaintiff heard the conversation of the defendant's family and the other people of the village and every other people of the village including defendant No.1 kept criticizing the plaintiff's old age. From Pakistan behavior of the defendant No.1 changed with the plaintiff. Although both parties each other taking into consideration all the events and circumstances, agreed for the relationship and later told your own families. That after the marriage and departure (rukhsati), it was not right for defendant No.1 to stab the old age of the plaintiff. On this defendant No.2 real brother of defendant No.1 said a strange thing the plaintiff and defendant for living _____.

all the persons raised voices about the elder age of plaintiff, defendant No.1 changed his attitude in Pakistan, while as narrated above both parties liked each other while observing all the matters, so there is no justification to raise objection about the elder age of plaintiff after Nikkah, defendant No.2 is brother of defendant No.1, who sated that the room which has been constructed at Village Lagri Chatoor Sawat, in the ancestral village of defendant No.1, this amount would be paid by the parents of plaintiff, this was an alarming situation, but family of plaintiff ignored it for the reason that the parties may lead happily life.

6. That an amount of Rs.10,00,000/- was given to defendant No.2 for purchase of furniture as per wish and will of defendants, but plaintiff faced unavoidable circumstances there in village for 2/3-days, which was shocking, the plaintiff is such sensitive and faced huge mental shock due to breakup of first marriage, the amount which was given for purchase of dowry articles, the same amount was grabbed by defendant No.2, even they also demanded the amount of construction of room, which fully shows that family of defendants are greedy in nature.
7. That when plaintiff went abroad from Pakistan under shadow of parents from village, it is pointed out that plaintiff is residing in UK for higher education of medical, the brother of plaintiff is also at UK for neurosurgery

specialization. The younger sister of plaintiff is also at UK, UK government granted scholarship to plaintiff for specialization, which fully shows that the plaintiff belongs to well educated family.

8. That at the time of Nikkah lacs of rupees were given to plaintiff for salami, they gave branded suites, gold ornaments were also given to women of family of defendants, while amount of Rs.300,000/- was given to defendant No.1 for purchase of marriage suites, while defendant No.1 totally changed when he reached at UK and ignored his future planning. It was assured by defendant No.1 that he will contribute in expenses at UK like good husband, either it would be the rent of flat, kitchen expenses, but defendant No.1 did not abide by his promise, by grace of God, plaintiff has no financial issues. Beside this defendant No.1 made his habit to tease plaintiff, abuse plaintiff and to remember her about her first marriage, while nothing was kept in dark by plaintiff, while in Columns No.5&6 clearly written divorcee and age of plaintiff but defendant No.1 always blamed plaintiff, defendant No.1 also used to call family of plaintiff i.e. parents, brothers, sisters his purpose was to defame and disgrace plaintiff.
9. That defendant No.1 also used to threaten plaintiff to give her divorce and said that plaintiff is elder to her, plaintiff ignored everything but defendant did not mend his ways, but plaintiff did not inform her parents about issues, the plaintiff listen all disgracing, heart breaking words of defendant No.1 with hope that one day, defendant No.1 will mend his ways.
10. That plaintiff personal and through family members tried to solve the matter and also asked defendant about birth of child, but defendant No.1 flared up and refused to become father of child, it was stated that plaintiff has to wait for five years for birth of child, if children would be born, they would be talked in Pashto. The plaintiff will have to reside at Village Lagrai, Chatoor, District Swat, in ancestral house of defendant No.1, the plaintiff was shocked upon it, because it was settled that plaintiff will not reside at Swat, because after such high education plaintiff will not have best job, Swat is backward area with regard to ladies, while it was settled that plaintiff will reside in big city of Pakistan.
11. That it also transpired that defendant No.1 has such hate with Urdu speaking, defendant No.1 was fully aware that plaintiff cannot talk fluent Pashto language, even cannot understand sentences of Pashto, defendant No.1 totally changed his attitude and all of his talks were proved as imaginary.

12. That it was habit of defendant No.1 to remain absent from house for many days, did not pay maintenance allowance and even did not ask about plaintiff, while plaintiff endured all expenses through job, the plaintiff did not ask defendant No.1 about any purchase, any expenses etc. contrary to it defendant No.1 used to blame plaintiff, used to quarrel with plaintiff, whenever plaintiff came back to house, plaintiff on car used to search defendant No.1 where he can be, whenever it was in heart of defendant No.1 to come back he came back and many times he disgraced plaintiff in front of his friends and also used objectionable language.
13. That when all bonafide hectic efforts of plaintiff were ended in smoke, plaintiff informed her parents about it, on which parents of plaintiff contacted relatives of defendant No.1 in ancestral village, it was requested to asked defendant No.1 to mend his ways, but defendant No.1 or his relatives did not pay any heed, due to this reason mother of plaintiff came at UK from Pakistan, mother of plaintiff met with defendant No.1 and requested to change his attitude but result became bad to words, due to which father of plaintiff also came to UK from Pakistan, brother of plaintiff also asked defendant No.1 to mend his ways, plaintiff ignored all brutal acts of defendant No.1 but defendant No.1 did not change his attitude.
14. That defendant No.1 many times left plaintiff alone, the plaintiff used to contact defendant No.1 through call and messages, but defendant No.1 did not give any attention to it, plaintiff knocked door, but defendant No.1 even did not open the door even in such cold, it was also ignored by defendant No.1 that plaintiff is wedded wife of defendant No.1 and she is her respect, the neighbours also witnessed that how defendant No.1 misbehaved plaintiff, defendant No.1 permanently left plaintiff and stated that defendant No.1 will not give divorce and will not live with plaintiff, will not pay maintenance allowance, will not give dower and will not return the amount of Rs.10,00,000/- cash given for purchase of dowry articles, due to act of defendant and mental shocks the plaintiff could not continue her specialization in stipulated time, and remained under treat, all expenses were endured by her parents this amount was 7,000 pounds (hefty amount), many valuable gifts were given to family of defendant No.1, even gold set was also given to mother of defendant, plaintiff is liable to be awarded 7,000 pounds, gold set these amount of Rs.500,000/-, defendant No.1 did not pay vehicle installments, house rent, insurance etc. in time, all expenses were paid by plaintiff, about which plaintiff reserves her right to file separate civil suit, due to such breaking hearts brothers of plaintiff thought for Ummra.
15. That at the end of month of August 2022, the plaintiff went to Saudi Arabia from UK, parents of plaintiff also came to Saudi Arabia, where it was settled that lastly defendant No.1 would be asked about reconciliation, when plaintiff came to UK, many efforts were made to contact defendant No.1 but defendant No.1 was not

traced, defendant No.2 was contacted by family of plaintiff, on which he demanded dower amount, demanded expenses of room and extended threats of dire consequences, due to non-payment of maintenance allowance, dower, conjugal rights, non-birth of child, return of amount of Rs.10,00,000/- of purchase of dowry articles, mental and physical torture, all these facts compelled plaintiff to file present suit.

16. That the Honourable Court is fully competent to decide the matter in dispute and there is no bar upon it.

PRAYER:

It is, therefore, respectfully prayed that suit may very kindly be decreed in favour of plaintiff and against the defendants as per title of suit.

Any other relief which this Honourable Court deems fit and proper may also be awarded.

Plaintiff
Through Special Power of Attorney

Through

Iftikhar Ahmed Siddiqui
Advocate High Court Peshawar.

VERIFICATION:

It is verified that the contents of the plaint are true and correct to the best
of my knowledge and belief, nothing has been concealed therein.

Plaintiff
Through Special Power of Attorney

**IN THE COURT OF SENIOR CIVIL JUDGE WITH THE POWER OF JUDGE FAMILY
COURT, PESHAWAR.**

In re:

Mst. Mahrukh Ayesha Vs. Ashfaq Ahmed etc.

**APPLICATION UNDER SECTION 17-A WEST PAKISTAN FAMILY COURT ACT, 1964 FOR RECOVERY
OF MAINTENANCE ALLOWANCE IN TITLED SUIT @ RS.30,000/- PER MONTH.**

Respectfully Sheweth: The applicant submits as under:

1. That the applicant has filed titled suit in the Honourable Court wherein no date of hearing has been fixed so far.
2. That that whole dower amount of applicant is due on part of respondent No.1, the applicant is demanding Rs.30,000/- per month from defendant as maintenance allowance, which plaintiff is entitled to receive, applicant is still wedded wife of respondent No.1, respondent No.1 is legally, socially bound to make payment of maintenance allowance.
3. That respondent No.1 is well settled person owner of property and is also owner of vast property at Swat, he also earns huge amount at abroad, he can easily pay Rs.30,000/- per month to applicant.
4. That there is no bar for filing of present application, according to Section 17-A West Pakistan Family Court Act, 1964, respondent No.1 is bound to make payment of maintenance allowance in time.

PRAYER:

It is, therefore, requested that application may very kindly be accepted and order may very kindly be passed for payment of interim maintenance allowance.

Dated 24.06.2023.

Applicant

Through Special Power of Attorney

Through

Iftikhar Ahmed Siddique
Advocate High Court Peshawar.

AFFIDAVIT:

It is stated that the contents of the application are true and nothing has been concealed therein from the Honourable Court.

Through Special Power of attorney

IN THE COURT OF GAURDIAN JUDGE WITH POWERS JUDGE FAMILY COURT,
LAHORE.

Family Suit No._____ **/2024**

1. **Mst. Mahnoor Zahid** D/o Khawaja Zahid Shakeel, Cast Khawaja (Kashmiri),
Resident of House No. 70, Street No. 3, Sector: FF, Phase: 4, DHA, Lahore
Cantt. Lahore

2. **Muhammad Hasnain**, date of birth 03.10.2021, Son of Muhammad Usman

Plaintiffs

Versus

Muhammad Usman S/o Khaliq Nawaz (Defendant), Cast Awan, Resident of House No. 223, Street No. 10, Sector: L, Phase: 6, DHA, Lahore Cantt. Lahore

Defendant

SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE OF PLAINTIFF No.1 @Rs. 100000/- PM WITH 10% ANNUAL INCREMENT, MAINTENANCE ALLOWANCE OF PLAINTIFF No.2 @ Rs. 100000/- PM WITH 10% ANNUAL INCREMENT, PAYMENT OF SCHOOLING AND ASSOCIATED MISCELLANEOUS EXPENSES FOR PLAINTIFF No. 2 @Rs. 100000/- PM WITH 10% ANNUAL INCREMENT, PAYMENT OF HIRING OF HOUSE ON RENT AND HIRING THE SERVICES OF MAID FOR THE WELFARE AND FOR BETTER LIVING OF PLAINTIFF No. 2 @ Rs. 100000/-PM WITH 10% ANNUAL INCREMENT, PAYMENT FOR EXPENSES ON MEDICAL TREATMENT AND MEDICINES OF PLAINTIFF No. 2 ON MONTHLY BASIS.

RESPECFULLY SHEWETH:

1. That the facts giving rise to the present suit are that the marriage of the Plaintiff was solemnized with the defendant on 21-10-2020, according to

Muslim Rites in lieu of Haq Mehar Muajjal (Prompt Dower) that amounts to Rs. 50000/- (Rupees fifty thousand only) and Haq Mehar Ghair Muajjal (Deffered Dower) that amounts to Rs.150000/- (Rupees One hundred and fifty thousand only). Registered Copy of Nikkah Nama is attached for reference at **Annexure-A**.

2. That the defendant had an ex-wife whom the defendant married probably in May, 2018 and divorced probably in the September, 2019. The reason of divorce was conveyed to the plaintiff and her parents by the defendant as lack of mental compatibility as ex-wife was a patient of Bi-polar disorder.
3. That the Plaintiff No. 1 settled in the house with the defendant as wife and started to perform her matrimonial obligations. Out of wedlock of parties the Plaintiff No. 2 was born.
4. That the plaintiffs and defendant lived happily and the attitude of defendant remained cordial and smooth for some time. After a few months, the attitude and behavior of the defendant with the plaintiff No.1 changed and developed adversely which is not appreciated in any civilized family and with severity to the extent that the defendant's mother mistreated and misbehaved to the plaintiff No. 1 and her parents, after a few weeks of the marriage. The defendant never paid any heed to settle and resolve brabbles and contentions with Plaintiff. These would give a lot of mental pain and put the Plaintiff and her parents in mentally stressed state of mind.
5. That the defendant would not listen, whenever the Plaintiff would complain about mistreatment and misbehavior of defendant's mother to her which was started a few weeks after marriage. The plaintiff tried her level best to reconcile on her own with defendants to settle family matters. Later, the

attitude and response of the defendant and his father also started changing. The defendant would once call name to the Plaintiff but the defendant's father and mother did not snub the defendant and take it seriously. These domestic abuse and the blame incidents for which the responsibility lies on the defendants were taken as light even on pointing and remonstrating by the parents of the Plaintiff No.1.

6. The Defendants has not provided any maintenance allowance to the Plaintiffs since solemnization of marriage and on/ after birth of plaintiff No.2, even when the Plaintiff(s) stayed at her parent's house. The Defendant would say to Plaintiff that it is the responsibility of the mother and her parents to bring up the child as well as to meet the expenses by the Plaintiff's parents as long as the Plaintiff No.1 would stay in her parent's house. While according to law, the defendant is legally bound to make payment of maintenance allowance to the Plaintiffs according to their living standard, status and financial capacities.
7. That it was the habit of the defendant to send the plaintiff to her parent's house, whenever the defendant wished, even the Plaintiff No.1 was not willing for the same. The plaintiff stayed continually in their house only for a period of about six months in the entire marriage life of three years.
8. That the Plaintiffs was sent to her parent's house during her Pregnancy period by the defendant when his mother verbally abuse the Plaintiff. The Plaintiff No. 1 remained in her parent's house for six months during pregnancy period and for about three months after the birth of their son/ grandson. Even the plaintiffs were not asked by the defendant to come back to their house after the birth of their son/ grandson for three months. The

Plaintiffs were again sent to her parent's house by the Defendant due to verbal abuse by his mother when the plaintiff No.1 went to the defendant's house after the birth of their son.

9. That the Defendant and his father, knowing that defendant's mother has some psychological disorder and emotional issues, would not listen to Plaintiff No.1, whenever Plaintiff No.1 would complain about mistreatment and misbehavior of Defendant's mother to her which was started a few weeks after marriage. The Plaintiff No.1 tried her level best to reconcile on her own with defendant to settle family matters but all her efforts went fruitless.
10. That afterwards the mistreatment, misbehavior and domestic Violence/ abuse from the Defendants towards the Plaintiff No.1 became very harsh and cruel due to their uncontrolled emotional attitudes and psychological disorder.
11. That, in spite of all the above mistreatment, misbehaviour, verbal and physical domestic abuse etc., the Plaintiff No.1 wanted to live with the Defendant for the sake of the better future and betterment of their son.
12. That the Defendant is working in the Multi-National Firm, Abu Dawood Pakistan (ADP), a leading sales management solution provider including, warehousing, logistics, branding and retail marketing for small to corporate. He is appointed at a Sr. Post of Unit Manager and enjoying the Perks and Privilege. A car is provided by ADP to the Defendant with 300 liters of Petrol PM. The expected salary of the Defendant is Rs.500000/- . The Defendant is the only son of his father. The Defendant's father is a landlord expectedly, possessing agriculture land in central Punjab and

elsewhere and runs Al Fatah Store on Franchise in the posh area of Lahore and operate multifarious businesses/ investments alongwith his partners. The Defendants have memberships in Raya Club which is one of the costliest Clubs in Lahore. The Defendant and his father play Golf in Raya Club and in Golf and Country Club Lahore. The Defendant lives with his parents in the posh area of Lahore in Phase: 6, DHA who own the house.

13. That the Plaintiff No.1 had frequent discussions with the Defendant for making payment of maintenance allowance and of dower amounts etc., in conformance to the law and Sharia but the defendant did not respond and postponed the matter of payments upon one pretext or the other.
14. That the Plaintiff No.1 was sent to her parent's house with humiliation and mistreatment and after the Plaintiff No.1, undergone domestic violence/ abuse by the defendant on 17th day of April, 2023. The Plaintiff No.1 received 1st Tallaq Notice by the Defendant on 25th day of July, 2023 and other two Tallaq Notices without fulfilling the Hadud Allah and Shariat-i-Muhammadi while she was in her parent's house after she was sent to her parent's house on 17th day of April, 2023. **The defendant never paid any maintenance allowance for the Plaintiffs until the maturity of Tallaq (for about seven months) on 25th October, 2023.** Pronouncing of Tallaq Notices by the defendant to the Plaintiff No.1, was similar to that of the previous Tallaq Notices by the defendant to his ex-wife, i.e., in both cases the wives were humiliated and sent to their parent's house followed by the Tallaq Notices.
14. That the cause of action arose in favour of the Plaintiff and against the defendant firstly when the defendant kicked out plaintiff No.1 from his

house and lastly when the defendant refused to pay the maintenance to the plaintiffs Rs.100000/- per month each and the same is still continuing.

15. That the Plaintiffs are residing at Lahore therefore, and the cause of action accrued at Lahore, hence this Honorable Court has got the jurisdiction to adjudicate the matter.
16. That the prescribed court fee has been affixed upon the plaint.

PRAYER:

Under the above circumstances, it is, therefore, most respectfully prayed that suit may be decreed in favour of the Plaintiff and against the Defendant and decree may kindly be passed in favour of the Plaintiffs and against the defendant as follows:

- I. *For the recovery of past maintenance allowance for Plaintiff No.1 since marriage on 21-10-2020 till 25-10-2023 @ Rs. 100000/- Per Month, with 10% annual increment in line with the living standard, status and financial capacities of the defendant*
- II. *For the recovery of past maintenance for Plaintiff No.2 (son of the Defendant) since his birth on 03.10.2021 to date @ Rs.100000/- Per Month, with 10% annual increment, in line with the living standard, status and financial capacities of the defendant and hereafter*
- III. *For the payment of schooling and other associated/ miscellaneous expenses involved @ Rs.100000/- Per Month, with 10% annual increment, in line with the living standard, status and financial capacities of the defendant.*
- IV. *For the payment of hiring of house on rent and hiring the services of a maid, for the welfare and for better living of their son @ Rs.100000/-*

Per Month, with 10% annual increment, in line with the living standard, status and financial capacities of the Defendant.

- V. *For the payment of expenses incurred on consultation from medical doctors (outdoor treatment), medicines alongwith commuting charges, with regard to the medical treatment of their son, in line with the living standard (status) and financial capacities of the Defendant @ Rs.20000/- Per Month, with 10% annual increment.*
- VI. *For the payment of the expenses in future which might be incurred (if any), will be communicated later, for indoor medical treatment in hospitals of the locality, medicines alongwith commuting charges, with regard to the medical treatment of their son, in line with the living standard (status) and financial capacities of the defendant.*

Any other appropriate relief which this Honorable Court may deem necessary to be fit and proper may also be granted.

PLAINTIFF

THROUGH:

Ch. Tahir Nasarullah Warraich

Rao Faheem Akhtar Khan

Advocate Supreme Court

Advocate high Court

10-Fane Road Lahore.

VERIFICATION:

Verified on Oath at Lahore on this ____ day of January, 2024, that the contents of the Para No. 1 to 13 are true and correct to the best of my knowledge and Para No.14 to 16 are correct to the best of my belief.

PLAINTIFF

IN THE COURT OF GAURDIAN JUDGE WITH POWERS JUDGE FAMILY COURT,
LAHORE.

Family Suit No. _____ /2024

Mst. Mahnoor Zahid D/o Khawaja Zahid Shakeel, Cast Khawaja (Kashmiri), Resident of House No. 70, Street No. 3, Sector: FF, Phase: 4, DHA, Lahore Cantt. Lahore

Plaintiff

Versus

1. **Muhammad Usman** S/o Khaliq Nawaz, Cast Awan, Resident of House No. 223, Street No.10, Sector-L, Phase: 6, DHA, Lahore Cantt. Lahore
2. **Mst. Samina (Defendant's Mother)**, Resident of House No.223, Street No.10, Sector-L, Phase: 6, DHA, Lahore Cantt. Lahore
3. **Mr. Khaliq Nawaz, Defendant's Father**, Cast Awan, Resident of House No. 223, Street No.10, Sector-L, Phase: 6, DHA, Lahore Cantt. Lahore.

Defendants

SUIT FOR RECOVERY OF DOWRY ARTICLES INCLUDING GOLD ORNAMENTS
WEIGHING 07 TOLAS, HAQ MEHAR (DOWRY AMOUNT) AND GIFTS or total
alternative amount of Rs. _____ /-

RESPECFULLY SHEWETH:

1. That the addresses of the parties mentioned in the caption of the plaint are correct for the purpose of summons, notices and other process of this Hon'able Court.
2. That the brief facts of instant plaint are that the Plaintiff married to the Defendant on 21-10-2020 according to Muslim Rites and Sunnah in lieu of Haq Mehar Muajjal (Prompt Dower) that amounts to Rs.50,000/- (Rupees fifty thousand only) and Haq Mehar Ghair Muajjal (Deffered Dower) that amounts to Rs.150,000/- (Rupees One hundred and fifty thousand only). Copy of Nikkah Nama is attached for kind perusal of this Honourable Court.
3. That out of this wedlock, Muhammad Hasnain was born.
4. That at the time of marriage, the parents of the Plaintiff gave precious Dowry articles as per list appended with plaint valuing...../- which lying in the house of the Defendant and also gave 07 Tolas gold ornaments and valuable gifts and the defendant is using the said dowry articles and ruining the same. Copy of list of dowry articles is appended for kind perusal of this Honorable Court. That, at the time of marriage, the Plaintiff's parents gave articles as dowry including Gold Ornaments, furniture, electronic items, clothes, kitchen items, other miscellaneous belongings as per list appended with plaint. This list also includes Gold ornaments, weighing 07-Tolas, Haq Mehar (Dowry amount), valuable Gifts (from parents and from Defendants) etc.
5. That after solemnization of marriage, the relations between the parties were remained cordial hardly for some months but later on the Defendant changed his behavior towards the Plaintiff and became harsh and cruel and

then he on several occasions severely tortured the Plaintiff on petty household matters even in front of the inhabitants of locality and family members.

6. That after solemnization of marriage, the relations between the parties were remained cordial hardly for some months. After a few months, the attitude and behaviour of the defendant(s) with the Plaintiff changed and developed adversely which is not appreciated in any civilized family and with severity to the extent that the Defendant's mother mistreated and misbehaved to the Plaintiff and her parents. The Defendants never paid any heed to settle and resolve brabbles and contentions with Plaintiff. These would give a lot of mental pain and put the Plaintiff and her parents in mentally stressed state of mind.
7. That afterwards the mistreatment and misbehavior of defendants towards the Plaintiff became very harsh and cruel even to the parents of the plaintiff due to their uncontrolled emotional attitudes.
8. That the few meetings between the Defendants and Plaintiff's parents were held to discuss on a very trivial complaints from the Defendants blaming the plaintiff. The Defendants would also blame the Plaintiff that she practices magic on them. The Defendant's mother would become emotionally uncontrolled that she did not care any respect and dignity of the Plaintiff in front of the servants and family friends and her parents. In this condition, the Defendant's mother would not listen to her husband and the Defendant to cool down. The Plaintiff's parents would try to reconcile and try to pacify the tense situations being the parents of a daughter.

10. That the defendants claim that the Haq Mahar MuAajjal (Prompt) and Haq Mahar Ghar MuAajjal (Deffered) has been paid in the form of ornaments (Diamond Bracelet/ Sultanite Stone set). But such a statement has not been written in Nikkah Nama. The actual statement written is that, "Rs. 50000/- (Haq Mahar MuAajjal (Prompt)) and 150000/- (Haq Mahar Ghar Muajjal (Deffered)). Total amount being Rs. 200000/-". There is no mention of anything about payment of the Haq Mahar MuAajjal (Prompt) in the form of ornaments (Sultanite stone set) and Haq Mahar Ghar MuAajjal (Deffered) in the form of ornaments (Diamond Bracelet) would be made. Rather, it is clearly mentioned that above mentioned Haq Mahar (MuAajjal & Ghar MuAajjal) will be paid in rupees. The Payment of Haq Mahar amount is still due as mentioned in the Nikkah Namma.
11. That there are some items which were given after marriage by the Defendants willfully and blissfully to the Plaintiff, in the form of gold ornaments, stones etc. These are only gifts and the Defendants are liable to give gifts to the Plaintiff in accordance with Allah's Hadud and Shariat-a-Muhammadi. Gifts are not the alternative to Haq Mahar. The Plaintiff has the legal and fundamental rights to possess/ take back these items as gifts according to the law and Hadud Allah and Shariat-i-Muhammadi. The Defendants are legally bound to return the gifts to the Plaintiff. Some of these gifts are in the possession of the Plaintiff and some are in the possession of the Defendants. The provision of those gifts in the possession of the Defendants, is still due to be given to the Plaintiff.
12. That the Defendants were persistent on their claim, were not agreeing to pay Haq Mehar Muajjal (Prompt Dower) and Haq Mehar Ghair Muajjal

(Deffered Dower) to the Plaintiff in rupees in accordance with the Nikkah Nama and after pouncing 1st Tallaq Notice on 27-07-2023. The Defendants were not agreeing even after extensive deliberations till completion of Tallaq Process on 25-10-2023 in the presence of the Councilor/ Secretary, Walton Cantt. Lahore.

13. That the Defendant(s) however agreed to pay Haq Mehar Muajjal (Prompt Dower) i.e., Rs.50000/- after deliberations with the Plaintiff and her parents in the presence of two respectable on 08-11-2023 during shifting of the Plaintiff's dowry articles and belongings. The above amount to Rs. 50000/- was transferred to Plaintiff by the Defendant, through transaction ID 9556208880 from his HBL Bank Account on 11-11-2023.
14. That the Haq Mehar Ghair Muajjal (Deffered Dower) which amounts to Rs. 150000/- is still due to be paid by the Defendant to the Plaintiff.
15. That some of the dowry items have been returned by the Defendants after checking at the spot and shifted in the presence of two respectable one from each side. It was decided by the respectable that the packed items shall be checked by the Plaintiff after shifting them to her parent's house and missing items to be reported to the Defendants. The missing items have been reported to Defendants for provision to the Plaintiff. Some of the dowry items are in the possession of the Defendants. That the () marked items on the list, have been returned by the Defendant(s) on 08-11-2023 to the Plaintiff, but rest of the items have not been returned and are lying in the house of the Defendant(s) including Gold ornaments, weighing 07 Tolas, Haq Mehar (Dowry amount), valuable gifts from parents

and from Defendants etc. Copy of list of Dowry articles, Gifts etc., is appended for kind perusal of this Honourable Court.

16. That the Plaintiff being wise woman and just to save her matrimonial life always tried to keep the Defendants happy but the Defendants always treated the Plaintiff like animal and their slave.
17. That the Defendants are person(s) of evil and cruel nature and they always ignored the Plaintiff and did not pay maintenance allowance to the Plaintiff.
18. That the Defendant and Defendant's mother never tried to pacify and mediate to resolve the family matters since the Defendant's mother would have the authoritative role in the house. That the Defendants would not fulfill their responsibilities as husband, mother-in-law and father-in-law of the Plaintiff and they would remain dormant and inert to respond for resolving the matters to fruition. In fact, the Defendants would try to provide cover for each other against the Plaintiff instead of resolving the family matters.
19. That on _____, the Defendant(s) after giving her severe beating and snatching all her belongings, including the ornaments, the Defendant(s) ousted the Plaintiff from his/ their house in three wearing cloths. Since then the Plaintiff has been residing at the above mentioned address.
20. That the Plaintiff with respectable of the family members again approached to the Defendant(s) and demanded the dowry articles etc., as per list appended with the plaint or pay its alternative amount but the Defendant again flatly refused the request of the Plaintiff.

21. That the cause of action accrued in favour of the Plaintiff and against the Defendant(s) when the Defendant(s) **kicked** out the Plaintiff from his/ their house in three wearing apparels and lastly a week ago when the Defendant(s) totally refused to listen the genuine request of the Plaintiff, and the same cause of action is still continuous.
22. That the parties of the suit are residing at Lahore, the cause of action accrued at Lahore, hence this Honourable Court has got jurisdiction to adjudicate upon the matter.
23. That the value of the suit for the purpose of court fee is fixed Rs.15/-.

PRAYER:

It is, therefore, most respectfully prayed that a decree for recovery of dowry articles as per list presented with plaint or its alternative amount of Rs.-----/- may kindly be passed in favour of the Plaintiff and against the Defendants.

It is, therefore, most respectfully prayed that decree may kindly be passed in favour of the Plaintiff and against the Defendant(s) as follows:

- I. *For the payment of Dower amount of Haq Mehar Ghair Muajjal (Deffered Dower) amounting to Rs. 150000/- (Rupees One hundred and fifty thousand only).*

- II. For returning of Dower articles including Gold ornaments weighing 7 Tolas and other items/ gifts etc., given by the parents of the Plaintiff, as mentioned in the list attached.**
- III. For returning of Gifts including, Gold ornaments, diamond ring etc. given by the Defendants as mentioned in the list attached.**

PETITIONER

THROUGH:

Ch. Tahir Nasarullah Warraich	Rao Faheem Akhtar Khan
Advocate Supreme Court	Advocate high Court
<u>10-Fane Road Lahore.</u>	

VERIFICATION:

Verified on Oath at Lahore on this _____ day of January, 2024, that the contents of Paras No. 1 to 20 are true and correct to the best of my knowledge and rest of Paras No.21 to 23 are correct to the best of my belief.

PLAINTIFF

IN THE COURT OF GAURDIAN JUDGE, LAHORE.

Guardian Petition No._____ **/2024**

Mst. Mahnoor Zahid D/o Khawaja Zahid Shakeel, Cast Khawaja (Kashmiri),
Resident of House No. 70, Street No. 3, Sector: FF, Phase: 4, DHA, Lahore Cantt.
Lahore

PETITIONER

Versus

Muhammad Usman S/o Khaliq Nawaz, Cast Awan, Resident of House No. 223,
Street No.10, Sector: L, Phase: 6, DHA, Lahore Cantt. Lahore

RESPONDENT

**PETITION UNDER SECTION 25 & 7 OF GUARDIAN AND WARDS ACT 1890 FOR THE
PERMANENT CUSTODY OF MINOR MUHAMMAD HASNAIN (SON) DATE OF
BIRTH, 03-10-2021.**

RESPECFULLY SHEWETH:

1. That the brief facts of the Guardian petition are that the Petitioner married to the Respondent in accordance to Muslim Rites on 21-10-2020.
2. That out of this lawful wedlock minor namely Muhammad Hasnain was born who is alive and presently is in the custody of the Petitioner.
3. That the Petitioner seeks the Permanent custody of the minor on the following amongst other:

GROUNDS

- a. That the respondent is unable to provide proper attention, love and care to the minor, resultantly the future of the minor ward would definitely be insecure in consideration of the following incidents:-
 - i. That the Petitioner was sent to her parent's house during her Pregnancy period by the Respondent since they would not like the Petitioner in this condition, when a wife needs more attention love and care. The Respondent's mother would not even spare her in this condition and verbally abuse the Petitioner.

- ii. That the Petitioner remained in her parent's house for six months during pregnancy period. The Petitioner remained in her parent's house for about three months after the birth of her son namely Muhammad Husnain. Even the Petitioner was not asked by the respondent to come back to their house after the birth of their son for three months. The Petitioner was again sent to her parent's house by the Respondent due to verbal abuse by his mother when the Petitioner went to the Defendant's house after about three months.
 - iii. The Respondent neither contacted nor visited the Petitioner to inquire the well-being of minor for the last about seven months, after the Petitioner was sent to her parent's house alongwith minor with humiliation, mistreatment and misbehavior, when domestic violence/ abuse was entailed upon the Petitioner on 17th day of April, 2023. The Respondent had not contacted the Petitioner, when informed to him by the Petitioner that the minor was sick and needed medication from a doctor.
- b. That the Respondent had an ex-wife whom the Respondent married probably in May, 2018 and has a daughter. The Respondent has given divorce to his ex-wife when she was sent to her parent's house with humiliation where the minor was born. The Respondent was not giving attention, love and care to his daughter from first wife and resultantly the minor is in custody of

his ex-wife. This fact is sufficient to prove that Respondent is an irresponsible father.

c. That the Respondent by all means is/ are unable to provide attention to minor considering the following incidents:-

- i. The Respondents has not provided any maintenance allowance to the Petitioner since solemnization of marriage and on/ after birth of minor. While according to law, the Respondent is legally bound to make payment of maintenance allowance to the Petitioner and the minor son, according to the living standard, status and financial capacities.
- ii. That the respondent would not give maintenance allowance to the petitioner and for the minor when the petitioner stayed at her parent's house. The respondent would say to petitioner that it is the responsibility of the petitioner and her parents to bring up the child as well as to meet the expenses by the petitioner's parents as long as the petitioner would stay in her parent's house. The respondent would not listen, whenever the petitioner would complain about mistreatment and misbehavior of respondent's mother to her which was started a few weeks after marriage.
- iii. That it was the habit of the respondent to frequently send the Petitioner alongwith the minor to her parent's house, whenever the respondent wished, even the Petitioner was not

willing for the same. The petitioner stayed continually in their house only for a period of about six months in the entire marriage life of three years.

- iv. That the defendant's mother would not give attention to the minor nor show her love and affection to the minor since the day of the minor was born, as if it is not her grandson. Moreover, the freedom of the minor alongwith the petitioner was also restricted to a room and a TV lounge only in the first floor of the house since morning to evening when the defendant would come from office.
- d. That Petitioner being the real mother of the minor has a preferential right to Hazanat.
- e. That the atmosphere of the house of the Respondent is not conducive for nourishment of minor in consideration of the following:-
 - i. That the respondent's ex-wife shared her sentiments by posting a message on Social Media about non-condusive atmosphere and her painful experience with the respondent. Ex-wife mention, "My marriage with Respondent was the worst nightmare imagined by any girl. She was abused verbally almost every other day by respondent's mother. Abuses about me, my mother, my grandmother that we go to some Aamil and do magic.....". The Message of Respondent's ex-wife is attached at **Annexure-B**.

- ii. That the respondent would make a mountain of a very trivial matter, incidentally occurs by the Petitioner and debated a lot with the Petitioner and with her parents, whereas domestic Violence/ abuse, major breme incidents etc., committed against the petitioner by the respondent was unnoticed by them. The respondent would call names to the Petitioner but the respondent's father and mother did not snub the respondent and take it seriously.
 - iii. The respondent abide every word of his mother however wrong that may be, make him also responsible for deteriorating the family matters to the extent of Tallaq and ruining the lives of the Petitioner and minor. The mistreatment and misbehavior not only disturbed and put mentally stressed the Petitioner, but also the minor.
 - iv. That the respondent would manipulate the situations and incidents in the house and try to provide cover for each other against the petitioner by telling lies, concealment of facts, and changing their own statements, instead of resolving the family matters for making the atmosphere pleasant and blissful.
- f. That the mother of the Respondent is mentally disturbed lady, she will definitely ruin the future of minor in consideration of the following:-
 - i. That the respondent's mother is a patient of psychological disorder and having lack of mental stability. There are uncontrolled emotional issues associated with her. Quite often, the Respondents would come late, whenever the Petitioner's parents would invite for dinner since the Respondents would

give medication to make her mentally stable before coming to the house of Petitioner's parents.

- ii. That due to the mental stability and psychological issues associated with the Respondent's mother, she never tried to pacify and mediate to resolve the family matters. The respondent is not fulfill his responsibilities as husband.
- g. That the respondent is habitual of damaging and ruining the lives of the girls and minors without having any fear of Allah. The respondent first ruined the life of minor from first ex-wife and now ruined the life of minor from second ex-wife. This shows of the evil and cruel nature of the respondent.
- h. That in spite of all the above humiliation, mistreatment, misbehavior, verbal/ physical domestic violence/ abuse, the Petitioner wanted to live with the Respondent as wife, for the sake of the better future and betterment of minor. But due to the stubborn nature of the Respondents, their heart would not melt on such wrongdoings.
- i. That the welfare and interests of the minor lie with the Petitioner and if the custody of the minor is not permanently handed over/ remained with the Petitioner, the minor ward will suffer mentally and physically.
- j. That the minor is living with the Petitioner in paragon atmosphere.
- k. That in whole of the world there is no alternate of mother for minor.
- l. That the respondent has no affiliation due to the continuous ignorance by the Respondent to minor.

- m. That the Petitioner and minor from the first breath of minor are affiliated and united to each other.
 - n. That it is settled law, the lap of mother is lap of God.
 - o. That the Petitioner has great love and affection with minor.
 - p. That the Petitioner and minor both cannot be separated from each other.
4. That the cause of action arose when the respondent started his illegal activities secondly when the respondent tried to snatch the custody of the minor from the petitioner and same cause of action is still continuous.
 5. That the Petitioner alongwith minor is residing at Lahore, cause of action accrued at Lahore, hence, this Hon'able Court has got jurisdiction to adjudicate upon the matter.
 6. That the requisite court fee has been affixed upon the Petition.

PRAYER

Under The Above Circumstances, it is, therefore, most respectfully prayed that the petitioner may very kindly be appointed as permanent Guardian of the minor and permanent custody of the minor may kindly be remained with petitioner.

It is further prayed that the respondent may kindly be restrained from snatching the custody of the minor from the lawful custody of the Petitioner.

*Any other relief which this Hon'able Court deems fit may also
be awarded.*

PETITIONER

THROUGH:

Ch. Tahir Nasarullah Warrach	Rao Faheem Akhtar Khan
Advocate Supreme Court	Advocate high Court
<u>10-Fane Road Lahore.</u>	

VERIFICATION:

Verified on Oath at Lahore on this _____ day of January, 2024, that the contents of above petition from Paras No. 1 to 3 are true and correct to the best of my knowledge and rest of Paras No.4 to 6 are correct to the best of my information and belief.

PLAINTIFF

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

1. *Mst. Liaba daughter of Muhammad Aslam, resident of House No.D-2540, Kocha Ghousia, Naya Bazar, Lohari Gate, Lahore.*
2. *Muhammad Ahmad aged about 1-Year son of Umer Tahir*
(Minor through real mother plaintiff No.1)

Plaintiffs

V E R S U S

Umer Tahir son of Tahir Ramzan, resident of House No.4, Street No.5, Haseeb Shaheed Colony, Muhammadabad, Faisalabad.

Defendant

SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE.

Respectfully Sheweth:-

1. That tersely the facts necessitating for the filing of instant Family Suit are that the plaintiff No.1 married to the defendant on 20.02.2022 in accordance with the Muslim Rites.

Copy of Nikahnama is attached herewith.

2. That out of this wedlock plaintiff No.2 was born, who is residing with the plaintiff No.1 and the plaintiff No.1 is enduring all the expenses of feed, cloths, medication etc. The minor was born in the parental house of plaintiff No.1 and they endured delivery expenses of birth of plaintiff No.2 which are Rs.155,000/- and same are still unpaid. Copies of delivery expenses receipts are attached herewith.

3. That after marriage for some time relations between the parties remained cordial but later on the defendant changed his attitude and started quarrel with the plaintiff No.1 on petty household matters and gave mental torture and made her life miserable.

4. That before the birth of plaintiff No.2, the defendant kicked out the plaintiff No.1 from his house in three wearing clothes. After 3-months of the delivery the plaintiff No.2, because of

interference of the respectable of the family and
for the sake of the plaintiff No.2, plaintiff
NO.1 rejoin / come back to the defendant's house
and perform her matrimonial obligations.

5. That 4-months ago, the defendant again kicked out
the plaintiffs from his house in the condition of
2-months pregnancy and since then the plaintiffs
are residing in the house of parents of plaintiff
No.1.
6. That during this whole period of desertion, the
defendant did not bother to visit the parental
house of the plaintiff No.1 to see the plaintiffs
and did not pay a single penny to the plaintiffs
as maintenance, as under the law it is the duty
and obligation of the defendant to maintain the
plaintiffs.
7. That the defendant is Govt. Employee in Wapda and
his monthly salary is Rs.50,000/- and also doing
a business of sale purchase of property and in

this way he also earn more than 100,000/- per month, but he ignored his obligations and avoided to maintain the plaintiffs. It is the legal right of plaintiffs to demand the maintenance at the rate of Rs.30,000/- per month each with 10% increase annually in future from the defendant.

8. That the plaintiff No.1 numerously approached the defendant and requested him to pay the maintenance allowance at the above said rate and also pay delivery expenses but the defendant postponed the matter of payment upon one pretext or the other.
9. That the cause of action arose in favour of the plaintiff and against the defendant firstly when the defendant kicked out the plaintiff No.1 from his house and lastly when the defendant refused to pay the maintenance to the plaintiffs Rs.30,000/- per month each and the same is still continuing.

10. That the plaintiffs are residing at Lahore and the cause of action also accrued at Lahore, hence this Hon'able Court has got the jurisdiction to adjudicate the matter.

11. That the requisite court fee has been affixed upon the plaint.

PRAYER:

In view of the above submissions, it is therefore, most respectfully prayed that a decree for recovery of maintenance allowance @ Rs.30,000/- per month (each plaintiff) may very kindly be passed in favour of the plaintiffs against the defendant with 10% increase annually to meet the ends of justice.

It is further prayed that a decree for the past maintenance allowance @ Rs.30,000/- per month from desertion to upto now may kindly be passed in favour of the plaintiffs and against the defendant.

It is further prayed that the defendant may kindly be directed to pay Rs.30,000/- per month to each plaintiff, as an interim maintenance allowance till the final disposal of the main suit.

It is further prayed that a decree for recovery of delivery expenses of birth of minor/plaintiff No.2 of Rs.155,000/- may kindly be passed in favour of plaintiffs and against the defendant.

*Any other relief which this Hon'able Court
deems fit and proper may also kindly be awarded.*

Plaintiffs

Through

Muhammad Faizan Khalid
Advocate High Court
M9-Daud Atif Center, Lahore.

VERIFICATION:

Verified on Oath at Lahore, this day of January, 2024 that
the contents of the above plaint from Paras 1 to 8 are true
and correct to the best of my knowledge and rest of the
Paras 9 to 11 are correct to the best of my information and
belief.

Plaintiffs

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Liaba etc. Vs. Umer Tahir

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE ETC)

SCHEDEULE OF WITNESSES:

1. Muhammad Aslam (father of plaintiff No.1)
2. Plaintiff No.1 herself.

All the witnesses shall support the version of the plaintiff.

Plaintiffs

Through

Muhammad Faizan Khalid

Advocate High Court
M9-Daud Atif Center, Lahore.

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Liaba etc. Vs. Umer Tahir

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT,
1964 FOR THE GRANT OF INTERIM MAINTENANCE
ALLOWANCE.**

Respectfully Sheweth:-

1. That the petitioners have filed the above titled suit in this Honourable Court in which no date of hearing has yet been fixed.
2. That the contents of the suit may kindly be read as an integral part and parcel of this application.
3. That petitioners have a good *prima facie* case in his favour and the suit is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioners and against the respondent.
5. That if the interim relief as prayed for is not granted, the petitioners shall suffer irreparable loss and injury.

***Under the above circumstances it is, therefore,
most respectfully prayed that the respondent may
kindly be directed to pay interim maintenance
allowance @ Rs.30,000/- per month to the each
petitioner till the final decision of the suit.***

Petitioners

Through

Muhammad Faizan Khalid
Advocate High Court
M9-Daud Atif Center, Lahore.

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Liaba etc. Vs. Umer Tahir

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT,
1964 FOR THE GRANT OF INTERIM MAINTENANCE
ALLOWANCE.**

AFFIDAVIT OF: *Mst. Liaba daughter of Muhammad Aslam,
resident of House No.D-2540, Kocha
Ghousia, Naya Bazar, Lohari Gate,
Lahore.*

I the above named deponent do hereby solemnly affirm and
declare as under:

That the contents of accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this 03rd day of January, 2024that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

Deponent

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

KOUSAR IRSHAD

Daughter of Muhammad Irshad resident of Main Bazar Kalma wala, Liaquat Abad, Kot Lakhpat, Railway Station, Lahore.

Plaintiff

VERSUS

ASIF KHALID

Son of Muhammad Khalid, resident of Main Bazar, Liaquat Abad.

Defendant

SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA.

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant on 27.03.2022 according to Muslim Rites and Sunnah. Copy of Nikkah Nama is attached for kind perusal.
- 2- That out of this wedlock no progeny born.
- 3- That at the time of marriage the parents of the plaintiff gave precious dowry articles to the plaintiff, which are in the possession of the defendant.
- 4- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff as maintenance allowance.
- 5- That the defendant is cruel temperament person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 6- That one year ago, the defendant after giving her severs beating, and snatching all her belongings, including the ornaments, the

defendant ousted the plaintiff from his house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address.

- 7- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.
- 8- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.
- 9- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house and finally when the defendant flatly refused to listen the request of the plaintiff and the same is still continue.
- 10- That the plaintiff to the suit is residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.
- 11- That the prescribed court fee has been affixed on the plaint.

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

Through:

Noor Ahmed Khan
Advocate High Court

Rana Tahir
Advocate High Court
Aiwan-e-Adal, Lahore.

VERIFICATION:

Verified on Oath at this day of February, 2024 that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Kousar Irshad **Vs.** Asif Khalid

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

SCHEDULE OF WITNESSES:

1. Muhammad Imtiaz son of Muhammad Irshad

2. Plaintiff herself.

All the witnesses shall support the averments of the plaint and version of the plaintiff.

Plaintiff

Through:

Noor Ahmed Khan
Advocate High Court

Rana Tahir
Advocate High Court
Aiwan-e-Adal, Lahore.

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Kousar Irshad **Vs.** Asif Khalid

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

AFFIDAVIT FOR NON-AVAILABILITY OF NIKKAH NAMA.

AFFIDAVIT OF:

Kousar Irshad daughter of *Muhammad Irshad*
resident of Main Bazar Kalma wala, Liaquat
Abad, Kot Lakhpat, Railway Station, Lahore.

*I the above named deponent do hereby solemnly affirm and
declare as under:*

*That the plaintiff married to the defendant, Nikkah Nama is in
possession of defendant, the plaintiff is swearing this affidavit for
obtaining Khula.*

DEPONENT

VERIFICATION:

Verified on Oath at Lahore this ____ day of February, 2024 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

DEPONENT

IN THE COURT OF SENIOR CIVIL JUDGE, LAHORE.

Civil Suit No._____ /2023

Kousar Bibi wife of Ghulam Hussain, resident of House No.241,
Allama Iqbal Road, Dharampura, Lahore.

Plaintiff

V E R S U S

Administrator Field Registration Office No.156, Mujahidabad,
Mughalpura, Lahore.

Defendant

SUIT FOR DECLARATION AND MANDATORY INJUNCTION.

Respectfully Sheweth:-

- 1- That the addresses of the parties which are given in the caption of the case are correct for the purpose of notices/summons.
- 2- That succinctly the facts necessitating for the filing of instant suit are that the sister of the plaintiff **(Late) Mst. Mariyam Bibi** widow of Muhammad Shafiq breathed her last on 28.12.2022 at Sir Ganga Ram Hospital, Lahore. Copy of Death Certificate issued by Sir Ganga Ram Hospital, Lahore is attached herewith.
- 3- That the death certificate of the (Late) Mst. Mariyam Bibi has not been issued so far.
- 4- That the plaintiff alongwith witnesses numerously approached the defendant apprised to issue the death certificate of (Late) Mst. Mariyam Bibi/sister of the plaintiff but the defendant kept on lingering the matter without any rhyme, reason and justification and a week before flatly refused and demanded decree of this Honourable Court.
- 5- That the plaintiff is facing great difficulties due to non-issuance of death certificate of (Late) Mst. Mariyam Bibi.
- 6- That the defendant is legally bound to issue death certificate to (Late) Mst. Mariyam Bibi.

- 7- That the cause of action accrued in favour of the plaintiff against the defendant firstly when the defendant lingered the matter of issuance of death certificate and finally when the defendant flatly refused to accede the genuine and lawful request of the plaintiff and the same cause of action is still continuing.
- 8- That the parties of the suit are residents at Lahore, the cause of action also accrued at Lahore, hence this Hon'able Court has got jurisdiction to adjudicate upon the matter.
- 9- That the value of the suit for the purpose of court fee as well as jurisdiction is fixed Rs.200/- which is exempted from court fee.

PRAYER:

It is, therefore, most respectfully prayed that a decree for declaration alongwith mandatory injunction may kindly be passed in favour of the plaintiff against the defendant; declaring that the sister of the plaintiff (Late) Mst. Mariyam Bibi died on 28.12.2022 and defendant is legally bound to issue death certificate of sister of plaintiff.

It is further prayed that through decree of mandatory injunction directing the defendant to issue Death Certificate of sister of plaintiff expeditiously, in the interest of justice, equity and fair play.

Any other relief which this Hon'able Court deems fit may also be granted.

Plaintiff

Through:-

Malik Arslan Aslam
Advocate High Court
Ghaziabad Bus Stop, Lahore.

VERIFICATION:

Verified on Oath at Lahore, this day of January, 2024 that the contents of the above plaint from Paras No.1 to 6 are true and correct to the best of my knowledge and rest of the Paras No.7 to 9 correct to the best of my information and belief.

Plaintiff

**IN THE COURT OF SENIOR GUARDIAN JUDGE WITH THE
POWERS OF JUDGE FAMILY COURT LAHORE.**

Family Suit No. _____ /2024

Mst. Kiran daughter of Siddique Masih, resident of Bhatta Kohar Manawala, Tehsil Cantt., District Lahore.

Plaintiff

V E R S U S

Nadeem Masih son of Rafiq Masih, resident of Mouza Gohawa, Near Marasianwali Haveli, Badian Road, Tehsil Cantt., District Lahore.

Defendant

SUIT FOR RECOVERY OF DOWRY ARTICLES AS PER LIST APPENDED WITH PLAINT OR ITS ALTERNATIVE AMOUNT OF
Rs. _____/-.

Respectfully Sheweth:-

1. That the addresses of the parties mentioned in the caption of the plaint are correct for the purpose of summons, notices and other process of this Hon'able Court.
2. That the brief facts of instant plaint are that the plaintiff married to the defendant on 08.04.2015 according to Christian Rites. Copy of Nikkah Nama is attached for kind perusal of this Honourable Court.
3. That out of this wedlock one baby boy namely Eman Nadeem was born, who is in the custody of the plaintiff.
4. That at the time of marriage, the parents of the plaintiff gave precious dowry articles as per list appended with plaint valuing Rs. _____/- which lying in the house of the defendant and the defendant is using the said dowry articles and ruining the same. Copy of list of dowry articles is appended for kind perusal of this Honourable Court.

5. That the defendant filed petition under Section 10 of Dissolution of Marriage Act with wrong address of the plaintiff and got decree of dissolution of marriage on 29.11.2016, when the plaintiff suit for recovery of maintenance allowance in the year 2017 then the defendant appeared in the court and it came into the knowledge of the plaintiff that the defendant have got decree of dissolution of marriage and the plaintiff challenged the same but in the year of 2019, the petition of the plaintiff was dismissed due to failure of reconciliation. Thereafter, the plaintiff claim the dowry articles from the defendant through respectable and relatives, the father of the defendant lingering on the matter one pretext to the other and a week ago the defendant and his father flatly refused to return the dowry articles, hence this suit.
6. That the cause of action accrued in favour of the plaintiff and against the defendant when the defendant kicked out the plaintiff from his house in three wearing apparels on 04.08.2015 and secondly when the reconciliation failed due to denial of the defendant and lastly a week ago when the defendant and his father totally refused to listen the genuine request of the plaintiff, and the same cause of action is still continuous.
7. That the parties of the suit are residing at Lahore, the cause of action accrued at Lahore, hence this Hon'able Court has got jurisdiction to adjudicate upon the matter.

8. That the value of the suit for the purpose of court fee is fixed Rs.15/-.

It is, therefore, most respectfully prayed that a decree for recovery of dowry articles as per list presented with plaint or its alternative amount of Rs. _____/- may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Hon'able Court deems fit may also be awarded.

Plaintiff

Through

Malik Saeed Ahmed Awan
Advocate High Court
Awan G Law Associates,
Suite No.39, Al-Murtaza Center,
2-Mozang Road, Lahore.

VERIFICATION:

Verified on Oath at Lahore, this 14th day of March, 2024 that the contents of the above plaint from Paras No.1 to 5 are true and correct to the best of my knowledge and rest of the Paras No.06 to 08 are correct to the best of my information and belief.

Plaintiff

**IN THE COURT OF SENIOR GUARDIAN JUDGE WITH THE
POWERS OF JUDGE FAMILY COURT LAHORE.**

In re:

Mst. Kiran Vs. Nadeem Masih

(SUIT FOR RECOVERY OF DOWRY ARTICLES)

SCHEDULE OF WITNESSES

1-

2-

3-

4- Plaintiff herself.

All the witnesses shall support the version of the plaintiff.

Plaintiff

Through

Malik Saeed Ahmed Awan
Advocate High Court
Awan G Law Associates,
Suite No.39, Al-Murtaza Center,
2-Mozang Road, Lahore.

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MST. KIRAN MEHMOOD

Daughter of Mehmood-ul-Hassan, resident of House No.25, Street No.3, Sitara Colony, near Ramzan Chowk, Colony-II, Chungi Amer Sidhu, Lahore.

Plaintiff
VERSUS

DANISH SAJJAD

Son of Sajjad , resident of Post Office Plangi Sangal, Tehsil Haveli, District Kahuta.

Defendant

SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA.

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant on 26.06.2023 according to Muslim Rites and Sunnah.
- 2- That out of this wedlock no progeny born.
- 3- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff as maintenance allowance.
- 4- That the defendant is cruel temperament person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 5- That two month ago, the defendant after giving her severs beating, and snatching all her belongings, including the ornaments, the defendant ousted the plaintiff from his house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address.
- 6- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits

prescribed by Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.

- 7- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.
- 8- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house and finally when the defendant flatly refused to listen the request of the plaintiff and the same is still continue.
- 9- That the parties to the suit are residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.
- 10- That the prescribed court fee has been affixed on the plaint.

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

Through:

Ayaz Ahmed
Advocate High Court

Marryam Azmat
Advocate High Court

VERIFICATION:

Verified on Oath at this 20th day of December, 2023 that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Kiran Mehmood **Vs.** Danish Sajjad

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

SCHEDULE OF WITNESSES

Plaintiff herself.

All the witnesses shall support the averments of the plaint and version of the plaintiff.

Plaintiff

Through:

Ayaz Ahmed
Advocate High Court

Marryam Azmat
Advocate High Court

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Kiran Mehmood **Vs.** Danish Sajjad

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

AFFIDAVIT FOR NON-AVAILABILITY OF NIKKAH NAMA.

AFFIDAVIT OF:

Mst. Kiran Mehmood daughter of
Mehmood-ul-Hassan, resident of House No.25,
Street No.3, Sitara Colony, near Ramzan Chowk,
Colony-II, Chungi Amer Sidhu, Lahore.

*I the above named deponent do hereby solemnly affirm and
declare as under:*

*That the plaintiff married to the defendant, Nikkah Nama is in
possession of defendant, the plaintiff is swearing this affidavit for
obtaining Khula.*

DEPONENT

VERIFICATION:

Verified on Oath at Lahore this ____ day of December, 2023 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

DEPONENT

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

1. Mst. Kiran Farooq daughter of Karamat Ali, resident of House No.157, Mohallah Shah Jamal, Ichhra, Lahore.
2. Areesha Noor date of birth 16.02.2015
3. Muhammad Faizan date of birth 19.11.2016
4. Muhammad Ayan date of birth 05.12.2019 *sons and daughter of Muhammad Farooq*
(Minors through real mother plaintiff No.1)

Plaintiffs

V E R S U S

Muhammad Farooq son of Muhammad Bukhsh, resident of Mohallah near Govt. High School Sarpail Tufal, city D.J. Khan.

Defendant

SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE.

Respectfully Sheweth:-

1. That tersely the facts necessitating for the filing of instant Family Suit are that plaintiff No.1 married to the defendant on 10.03.2011 in accordance with the Muslim Rites. Copy of Nikahnama is attached herewith.
2. That out of this wedlock plaintiffs No.2 to 4 were born, who are residing with plaintiff No.1 and plaintiff No.1 is enduring all the expenses of feed, cloths, medication etc.
3. That after marriage for some time relations between the parties remained cordial but later on the defendant changed his attitude and started quarrel with plaintiff No.1 on petty household matters and also started to beat and maltreat plaintiff No.1 and made her life miserable.

4. That _____, the defendant deserted plaintiff No.1 from his house in three wearing clothes after snatching the dowry articles and golden ornaments belonging to plaintiff No.1 and since then plaintiff No.1 is residing in the house of her parents.
5. That during this whole period of desertion, the defendant did not bother to visit the parental house of plaintiff No.1 to see the plaintiffs and did not pay a single penny to the plaintiffs as maintenance, as under the law it is the duty and obligation of the defendant to maintain the plaintiffs.
6. That the defendant is man of means and he is earning a handsome and attractive amount more than Rs.100,000/- per month, but he ignored his obligations and avoided to maintain the plaintiffs. It is the legal right of plaintiffs to demand the maintenance at the rate of

Rs.10,000/- per month each with 10% increase
annually in future from the defendant.

7. That plaintiff No.1 numerously approached the defendant and requested him to pay the maintenance allowance at the above said rate but the defendant postponed the matter of payment upon one pretext or the other.
8. That the cause of action arose in favour of the plaintiff and against the defendant firstly when the defendant kicked out plaintiff No.1 from his house and lastly when the defendant refused to pay the maintenance to the plaintiffs Rs.10,000/- per month each and the same is still continuing.
9. That the plaintiffs are residing at Lahore and the cause of action also accrued at Lahore, hence this Hon'able Court has got the jurisdiction to adjudicate the matter.
10. That the requisite court fee has been affixed upon the plaint.

PRAYER:

In view of the above submissions, it is therefore, most respectfully prayed that a decree for recovery of maintenance allowance @ Rs.10,000/- per month (each plaintiff) may very kindly be passed in favour of the plaintiffs against the defendant with 10% increase annually to meet the ends of justice.

It is further prayed that a decree for the past maintenance allowance @ Rs.10,000/- per month from desertion to uptoil now may kindly be passed in favour of the plaintiffs and against the defendant.

It is further prayed that the defendant may kindly be directed to pay Rs.10,000/- per month to each plaintiff, as an interim maintenance allowance till the final disposal of the main suit.

*Any other relief which this Hon'able Court
deems fit and proper may also kindly be
awarded.*

Plaintiffs

Through

Rana Rafaqat Ali
Advocate High Court

Rana Muntzir Rabbani
Advocate High Court

VERIFICATION:

Verified on Oath at Lahore, this _____ day of January, 2024
that the contents of the above plaint from Paras 1 to 7
are true and correct to the best of my knowledge and
rest of the Paras 8 to 10 are correct to the best of my
information and belief.

Plaintiffs

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Kiran Farooq etc. Vs. Muhammad Farooq

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

SCHEDEULE OF WITNESSES:

1.

2.

3. Plaintiff No.1 herself.

All the witnesses shall support the version of the plaintiff.

Plaintiffs

Through

Miss Ainee
Advocate High Court

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Kiran Farooq etc. Vs. Muhammad Farooq

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT,
1964 FOR THE GRANT OF INTERIM MAINTENANCE
ALLOWANCE.**

Respectfully Sheweth:-

1. That the petitioners have filed the above titled suit in this Honourable Court in which no date of hearing has yet been fixed.
2. That the contents of the suit may kindly be read as an integral part and parcel of this application.
3. That petitioners have a good *prima facie* case in his favour and the suit is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioners and against the respondent.
5. That if the interim relief as prayed for is not granted, the petitioners shall suffer irreparable loss and injury.

***Under the above circumstances it is, therefore,
most respectfully prayed that the respondent may
kindly be directed to pay interim maintenance
allowance @ Rs.10,000/- per month to the each
petitioner till the final decision of the suit.***

Petitioners

Through

Miss Ainee
Advocate High Court

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Kiran Farooq etc. Vs. Muhammad Farooq

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT,
1964 FOR THE GRANT OF INTERIM MAINTENANCE
ALLOWANCE.**

AFFIDAVIT OF: *Mst. Kiran Farooq*

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this day of January, 2024 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

Deponent

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

Guardian Petition No. _____ /2023

Mst. Kiran Farooq daughter of Karamat Ali, resident of House No.157, Mohallah Shah Jamal, Ichhra, Lahore.

Petitioner

V E R S U S

Muhammad Farooq son of Muhammad Bukhsh, resident of Mohallah near Govt. High School Sarpail Tufal, city D.J. Khan.

Respondent

PETITION UNDER SECTION 25 & 7 OF GUARDIAN & WARDS ACT 1890 FOR THE PERMANENT CUSTODY OF MINORS (1)AREESHA NOOR DATE OF BIRTH 16.02.2015, (2)MUHAMMAD FAIZAN DATE OF BIRTH 19.11.2016, (3)MUHAMMAD AYAN DATE OF BIRTH 05.12.2019.

Respectfully Sheweth:-

1. That the brief facts of the Guardian Petition are that the petitioner married to the respondent in accordance to Muslim Rites on 10.03.2011.
2. That out of this lawful wedlock minors namely (1)Areesha Noor date of birth 16.02.2015, (2)Muhammad Faizan date of birth 19.11.2016, , (3)Muhammad Ayan date of birth 05.12.2019 was born who is alive and presently is in the custody of petitioner.
3. That the petitioner seeks the permanent custody of the minors on the following amongst other:-

GROUNDS

- a. That the respondent is unable to provide proper attention, education, feed, medication to the minors, resultantly the future of minors ward would definitely be insecure.
- b. That the petitioner being the real mother of the minors has a preferential right to Hazanat.
- c. That the welfare and interests of the minors lie with the petitioner and if the custody of the minors is not permanently handed over/ remained

- with the petitioner, the minors ward will suffer mentally and physically.
- d. That in whole of the world there is no alternate of mother for minors.
 - e. That the petitioner and minors from the first breath of minors are affiliated and united to each other.
 - f. That it is settled law the lap of mother is lap of God.
 - g. That the petitioner has great love and affection with minors.
 - h. That the petitioner and minors both cannot be separated from each other.
4. That a week before the respondent tried to snatch the custody of the minors from the petitioner, but due to severe resistance of the petitioner and other respectable persons the respondent failed to do and he is adamant to remove the custody of the minors from petitioner, hence this petition.
5. That the cause of action arose when the respondent started his illegal activities secondly when the respondent tried to snatch the custody of the minors from the petitioner and the same cause of action is still continuous.
6. That the petitioner alongwith minors is residing at Lahore, cause of action accrued at Lahore, hence, this Hon'able Court has got jurisdiction to adjudicate upon the matter.
7. That the requisite court fee has been affixed upon the petition.

PRAYER

UNDER THE ABOVE CIRCUMSTANCES, it is, therefore, most respectfully prayed that the petitioner may very kindly be appointed as

guardian of the minors and permanent custody of the minors may kindly be remained with petitioner.

It is further prayed that the respondent may kindly be restrained from snatching the custody of the minors from the lawful custody of the petitioner.

Any other relief which this Hon'able Court deems fit may also be awarded.

Petitioner

Through

Advocate High Court
Aiwan-e-Adal, Lahore.

VERIFICATION

*Verified on Oath at Lahore, this day of **January, 2024** that the contents of the above petition from Paras No.1 to 4 are true and correct to the best of my knowledge and rest of the Paras No.5 to 7 correct to the best of my information and belief.*

Petitioner

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

In re:-

Mst. Kiran Farooq Vs. Muhammad Farooq

(GUARDIAN PETITION)

APPLICATION FOR THE GRANT OF STAY ORDER.

Respectfully Sheweth; -

1. That the above titled petition has filed before this Hon'ble Court in which no date of hearing has been fixed as yet.
2. That the contents of the main petition may kindly be read as an integral part of the said application.
3. That the petitioner is capable of providing better nourishment to the minors children.
4. That the petitioner has good *prima facie* and arguable case and there is every likelihood for his success.
5. That the balance of convenience lies in favour of the petitioner.
6. That if the interim relief is not granted as prayed for the petitioner as well as the minors would suffer irreparable loss and injury.

It is, therefore, most respectfully prayed that the respondent may very kindly be restrained from snatching the custody of the minors from the petitioner till the final decision of this petition.

Ad-interim injunctive order may also be passed.

Petitioner

Through

Advocate High Court
IN THE COURT OF GUARDIAN JUDGE, LAHORE.

In re:-

Mst. Kiran Farooq Vs. Muhammad Farooq

(GUARDIAN PETITION)

APPLICATION FOR THE GRANT OF STAY ORDER.

AFFIDAVIT OF: Mst. Kiran Farooq daughter of Karamat Ali, resident of House No.157, Mohallah Shah Jamal, Ichhra, Lahore.

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying "Application" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

*Verified on Oath at Lahore this day ____ of January, 2024 which
the contents of above affidavit are true and correct to the best
of my knowledge and belief and nothing has been concealed
therein.*

Deponent

**IN THE COURT OF SENIOR GUARDIAN JUDGE WITH THE
POWERS OF JUDGE FAMILY COURT LAHORE.**

Family Suit No._____ /2024

Mst. Kiran daughter of Siddique Masih, resident of Bhatta Kohar
Manawala, Tehsil Cantt., District Lahore.

Plaintiff

V E R S U S

Nadeem Masih son of Rafiq Masih, resident of Mouza Gohawa, Near
Marasianwali Haveli, Badian Road, Tehsil Cantt., District Lahore.

Defendant

SUIT FOR RECOVERY OF DOWRY ARTICLES AS PER LIST APPENDED WITH PLAINT OR ITS ALTERNATIVE AMOUNT OF
Rs. _____ /-.

Respectfully Sheweth;-

1. That the addresses of the parties mentioned in the caption of the plaint are correct for the purpose of summons, notices and other process of this Hon'able Court.
2. That the brief facts of instant plaint are that the plaintiff married to the defendant on 08.04.2015 according to Christian Rites. Copy of Nikkah Nama is attached for kind perusal of this Honourable Court.
3. That out of this wedlock one baby boy namely Eman Nadeem was born, who is in the custody of the plaintiff.
4. That at the time of marriage, the parents of the plaintiff gave precious dowry articles as per list appended with plaint valuing Rs. _____/- which lying in the house of the defendant and the defendant is using the said dowry articles and ruining the same. Copy of list of dowry articles is appended for kind perusal of this Honourable Court.
5. That the defendant filed petition under Section 10 of Dissolution of Marriage Act with wrong address of the plaintiff and got decree of dissolution of marriage on 29.11.2016, when the plaintiff suit for recovery of maintenance allowance in the year 2017 then the defendant

appeared in the court and it came into the knowledge of the plaintiff that the defendant have got decree of dissolution of marriage and the plaintiff challenged the same but in the year of 2019, the petition of the plaintiff was dismissed due to failure of reconciliation. Thereafter, the plaintiff claim the dowry articles from the defendant through respectable and relatives, the father of the defendant lingering on the matter one pretext to the other and a week ago the defendant and his father flatly refused to return the dowry articles, hence this suit.

6. That the cause of action accrued in favour of the plaintiff and against the defendant when the defendant kicked out the plaintiff from his house in three wearing apparels on 04.08.2015 and secondly when the reconciliation failed due to denial of the defendant and lastly a week ago when the defendant and his father totally refused to listen the genuine request of the plaintiff, and the same cause of action is still continuous.
7. That the parties of the suit are residing at Lahore, the cause of action accrued at Lahore, hence this Hon'able Court has got jurisdiction to adjudicate upon the matter.
8. That the value of the suit for the purpose of court fee is fixed Rs.15/-.

It is, therefore, most respectfully prayed that a decree for recovery of dowry articles as per list presented with plaint

or its alternative amount of Rs._____/- may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Hon'able Court deems fit may also be awarded.

Plaintiff

Through

Malik Saeed Ahmed Awan
Advocate High Court
Awan G Law Associates,
Suite No.39, Al-Murtaza Center,
2-Mozang Road, Lahore.

VERIFICATION:

Verified on Oath at Lahore, this 14th day of March, 2024 that the contents of the above plaint from Paras No.1 to 5 are true and correct to the best of my knowledge and rest of the Paras No.06 to 08 are correct to the best of my information and belief.

Plaintiff

**IN THE COURT OF SENIOR GUARDIAN JUDGE WITH THE
POWERS OF JUDGE FAMILY COURT LAHORE.**

In re:

Mst. Kiran Vs. Nadeem Masih

(SUIT FOR RECOVERY OF DOWRY ARTICLES)

SCHEDULE OF WITNESSES

1-

2-

3-

4- Plaintiff herself.

All the witnesses shall support the version of the plaintiff.

Plaintiff

Through

Malik Saeed Ahmed Awan
Advocate High Court
Awan G Law Associates,
Suite No.39, Al-Murtaza Center,
2-Mozang Road, Lahore.

IN THE COURT OF LEARNED JUDGE FAMILY
COURT, LAHORE.

In re:-

Kinza Sohail etc. Vs. Sheharyar Ahmad

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA,
RECOVERY OF MAINTENANCE AND DOWRY ARTICLES, & DOWER AMOUNT)

WRITTEN STATEMENT ON BEHALF OF THE DEFENDANT.

Respectfully Sheweth:-

PRELIMINARY OBJECTIONS:-

1. That the instant suit has been filed with malafide intention ulterior motives and extraneous consideration just for blackmailing and to harass the defendant.
2. That the plaintiff has no cause of action therefore, the suit cannot proceed further.
3. That the suit is not maintainable in its present form.
4. That the plaintiff has no locus standi to file the present suit, therefore, the suit is liable to be dismissed.
5. That the suit has been filed in order to blackmail and humiliate the answering defendant.

ON FACTS:-

1. Para No.1 is admitted to the extent of plaintiff and defendant was solemnized on 04.01.2021 and out of this wedlock plaintiff No.2 was born on 05.01.2021 and remaining para is denied,

defendant was paid dower amount of Rs.200,000/-
to plaintiff No.1.

2. Para No.2 totally incorrect infact the defendant has love and affection with the plaintiff.
3. Para No.3 is incorrect hence denied. It is specifically mentioned it was plaintiff No.1 who used to quarrel with the defendant on petty household matter, the defendant always treated plaintiff No.1 with love and affection, plaintiff No.1 proved to be stubborn and barbaric nature lady, now plaintiff No.1 is misleading this Honourable Court.
4. Para No.4 is totally incorrect and denied. The defendant still has love and affection with the plaintiff.
5. Para No.5 is totally incorrect and denied. The defendant still has love and affection with the plaintiff.

6. Para No.6 is totally incorrect and denied. The defendant still has love and affection with the plaintiff.
7. Para No.7 is totally incorrect and denied. The defendant still has love and affection with the plaintiff.
8. Para No.8 is totally incorrect and denied. The defendant still has love and affection with the plaintiff.
9. Para No.9 is denied being incorrect. The plaintiff has no cause of action against the answering defendant to file the present suit.
10. Legal.
11. Legal.

Prayer is also denied.

Under the circumstances it is, most respectfully prayed that the suit of the plaintiff may kindly be dismissed.

Defendant

Through

Wareesha
Advocate High Court

VERIFICATION:-

Verified on Oath at Lahore, this day of December,
2023 that the contents of the above written statement
from Paras No.1 to are true and correct to the best
of my knowledge and rest of the Paras No. to with
preliminary objections correct to the best of my
information and belief.

Defendant

SCHEDULE OF WITNESSES

1 -

2 -

3 - Defendant himself.

ALL THE WITNESSES will support the version of the defendant.

Defendant

Through

Wareesha
Advocate High Court

**IN THE COURT OF MR. NAVEED AHMAD MALIK, WORTHY
GUARDIAN JUDGE, LAHORE.**

Kashmina Zaheer widow of Rana Zaheer Abbas, resident of Post Office Khas, Kamas K, Tehsil Raiwind, District Lahore.

Petitioner

Versus

Public-at-Large.

RESPONDENT

APPLICATION FOR PERMISSION TO SELL THE VEHICLE OF THE MINORS.

Respectfully Sheweth:-

1. That the above titled guardian case was decided on 12.03.2024 by this Honourable Court and the petitioner was appointed as guardian for person and guardian of vehicle of the minors namely (1) Rana Muhammad Hammad (son) date of birth 29.07.2013, (2) Nabeeha Zaheer (daughter) date of birth 12.08.2016,
(3) Rana Abdullah Manj (son) date of birth 27.04.2018 in the said case.

2. That the minors are school going and the petitioner/guardian has no source of income. To properly look after the minors and to fulfill the educational expenses and medical expenses of the said minors, it is necessary to sale out the vehicle of the minors.

3. That the guardian/petitioner seeks permission from this Hon'ble Court to sell the respective share of the said minors in Vehicle i.e. Vehicle Honda City Registration No.IDN 7960, Model-2004, Chassis No.NFBGE15A04R103163, Engine No.L12A2-1003175, Colour-Grey and to spend the said money for the above said purpose and permitted to may be used for the education, health, growing up and the welfare of the said minors. This is the application for the permission from this Hon'ble Court to sell the

share of the said minors in the interest of justice.

4. That if the instant application is not allowed, the petitioner is bound to suffer an irreparable loss and injury.

In view of above said circumstances it is, therefore, most respectfully prayed that the permission to sell the share of the said minors may very kindly be granted for the welfare of the minors, the petitioner being guardian shall maintain a complete account of the income and expenses of the minors' share/vehicle.

Any other relief which this Honourable Court deems fit may also be awarded.

Petitioner

Through

M. Nadeem Kashmiri
Advocate High Court

**IN THE COURT OF MR. NAVEED AHMAD MALIK, WORTHY
GUARDIAN JUDGE, LAHORE.**

In re:

Kashmina Zaheer **Vs.** Public-at-large

**APPLICATION FOR PERMISSION TO SELL THE VEHICLE OF THE
MINORS.**

AFFIDAVIT OF: **Kashmina Zaheer** widow of Rana Zaheer Abbas, resident of Post Office Khas, Kamas K, Tehsil Raiwind, District Lahore.

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying "**Application**" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this 13th day of March, 2024 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

Deponent

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

1. *Mst. Kalsoom daughter of Ghulam Hussain, resident of House No. 7-D, Islamia Street No. 139, Lakshami Chowk, Backside Ratam Cinema, Meclord Road, Lahore.*
2. *Talha Ali date of birth 12.10.2021 son of Syed Wajid Ali*
3. *Pari Gull date of birth 31.08.2023 daughter of Syed Wajid Ali*
(Minors through real mother plaintiff No. 1)

Plaintiffs

V E R S U S

Syed Wajid Ali son of Syed Mussarat Ali, resident of House NO.56, Shaheen Street, Mohallah Rasool Park, Sector-2, Qazi Town, Multan Road, Lahore.

Defendant

SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA,
RECOVERY OF MAINTENANCE ALLOWANCE AND RECOVERY OF
DELIVERY EXPENSES OF PLAINTIFF NO.3 OF RS.50,000/-.

Respectfully Sheweth:-

1. That tersely the facts necessitating for the filing of instant Family Suit are that plaintiff No.1 married to the defendant on 12.12.2020 in accordance with the Muslim Rites. Copy of Nikahnama is attached herewith.
2. That out of this wedlock plaintiffs No.2&3 were born, who are residing with plaintiff No.1 and plaintiff No.1 is enduring all the expenses of feed, cloths, medication etc. It is suffice to point out that the plaintiff No.3 was born at the house of the parents of plaintiff No.1 and parents of the plaintiff No.1 bear all the delivery expenses of plaintiff No.3 i.e. Rs.50,000/-.
3. That after marriage for some time relations between the parties remained cordial but later on the defendant changed his attitude and started to quarrel with plaintiff No.1 on petty household matters and also started to beat and maltreat plaintiff No.1 and made her life miserable.

4. That 25.04.2023, the defendant deserted plaintiff No.1 from his house in three wearing clothes alongwith plaintiff No.2 and since then the plaintiffs are residing in the house of her parents.
5. That during this whole period of desertion, the defendant did not bother to visit the parental house of plaintiff No.1 to see the plaintiffs and did not pay a single penny to the plaintiffs as maintenance and delivery expenses of plaintiff No.3, as under the law it is the duty and obligation of the defendant to maintain the plaintiffs.
6. That the defendant is employee of import and export private company and his monthly salary is more than Rs.50,000/- and his own business of marketing/selling general store items and he earns handsome and attractive amount more than Rs.40,000/- per month and his total monthly income is more than Rs.90,000/- but he ignored his obligations and avoided to maintain the plaintiffs. It is the legal right of plaintiffs to demand the maintenance at the rate of Rs.20,000/- per month each with 10% increase annually in future from the defendant.
7. That plaintiff No.1 numerously approached the defendant and requested him to pay the maintenance allowance at the above said rate and pay delivery expenses of plaintiff No.3 but the defendant postponed the matter of payment of maintenance allowance upon one pretext or the other.

8. That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, hatred has been developed in the heart of plaintiff No.1 against defendant and she prefers death as compare to live with defendant and there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by law, therefore, plaintiff No.1 seeks dissolution of marriage on the basis of Khula.
9. That the defendant has been asked by plaintiff No.1, through her parents, that he may divorce plaintiff No.1, but he has paid no heed to it and a week earlier he has refused to do so, hence this suit.
10. That the cause of action arose in favour of the plaintiffs and against the defendant firstly when the defendant kicked out plaintiff No.1 from his house and lastly when the defendant refused to pay the maintenance to the plaintiffs Rs.20,000/- per month each and also refused to pay delivery expenses of plaintiff No.3 and the same is still continuing.
11. That the plaintiffs are residing at Lahore and the cause of action also accrued at Lahore, hence this Hon'able Court has got the jurisdiction to adjudicate the matter.
12. That the requisite court fee has been affixed upon the plaint.

PRAYER:

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of plaintiff No.1 and against the defendant.

It is further prayed that a decree of recovery of maintenance allowance @ Rs.20,000/- per month (each plaintiff) may very kindly be passed in favour of the plaintiffs against the defendant with 10% increase annually to meet the ends of justice.

It is further prayed that a decree for the past maintenance allowance @ Rs.20,000/- per month each plaintiff from desertion to uptoil now may kindly be passed in favour of the plaintiffs and against the defendant.

It is further prayed that the defendant may kindly be directed to pay Rs.20,000/- per month to each plaintiff, as an interim maintenance allowance till the final disposal of the main suit.

It is also further prayed that a decree for delivery expenses of plaintiff No.3 of Rs.50,000/- may very kindly be passed in favour of plaintiff No.1 and against the defendant.

Any other relief which this Hon'able Court deems fit and proper may kindly be awarded.

Plaintiffs

Through

Mian Muhammad Arshad Iqbal
Advocate High Court

VERIFICATION:

Verified on Oath at Lahore, this day of December, 2023 that the contents of the above plaint from Paras No.1 to 9 are true and correct to the best of my knowledge and rest of the Paras No.10 to 12 are correct to the best of my information and belief.

Plaintiffs

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:-

Mst. Kalsoom etc. Vs. Syed Wajid Ali

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA ETC)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT, 1964
FOR THE GRANT OF INTERIM MAINTENANCE ALLOWANCE.**

Respectfully Sheweth:-

1. That the petitioners have filed the above titled suit in this Honourable Court in which no date of hearing has yet been fixed.
2. That the contents of the suit may kindly be read as an integral part and parcel of this application.
3. That petitioners have a good *prima facie* case in their favour and the suit is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioners and against the respondent.
5. That if the interim relief as prayed for is not granted, the petitioners shall suffer irreparable loss and injury.

Under the above circumstances it is, therefore, most respectfully prayed that the respondent may kindly be

directed to pay interim maintenance allowance @ Rs.20,000/- per month to the each petitioner till the final decision of the suit.

Petitioners

Through

Mian Muhammad Arshad Iqbal
Advocate High Court

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS
OF JUDGE FAMILY COURT, LAHORE.**

In re:

Mst. Kalsoom etc. Vs. Syed Wajid Ali

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA ETC)

**APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT,
1964 FOR THE GRANT OF INTERIM MAINTENANCE
ALLOWANCE.**

AFFIDAVIT OF: *Mst. Kalsoom daughter of Ghulam Hussain, resident of House No. 7-D, Islamia Street No. 139, Lakshami Chowk, Backside Ratam Cinema, Meclord Road, Lahore.*

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this ____ day of December, 2023 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

Deponent

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MST. KAINAT

Daughter of Masood-ur-Rehman, resident of House No.21, Usama Block, Nishter Colony, Ferozepur Road, Cantt., Lahore.

Plaintiff

VERSUS

KARAMAT ALI

Son of Salamat Ali, resident of Syedan, Amreek Sing, Lahore.

Defendant

SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA.

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant on 22.10.2023 according to Muslim Rites and Sunnah. Nikkah Nama is in the custody of the defendant.
- 2- That out of this wedlock no progeny born.
- 3- That at the time of marriage the parents of the plaintiff gave precious dowry articles to the plaintiff, which are in the possession of the defendant.
- 4- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff as maintenance allowance.
- 5- That the defendant is cruel temperament person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 6- That a month ago, the defendant after giving her severs beating, and snatching all her belongings, including the ornaments, the defendant ousted the plaintiff from his house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address.
- 7- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by

Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.

- 8- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.
- 9- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house and finally when the defendant flatly refused to listen the request of the plaintiff and the same is still continue.
- 10- That the **parties** to the suit are residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.
- 11- That the prescribed court fee has been affixed on the plaint.

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

Through:

Mirza Khalid Javaid Baig
Advocate High Court

VERIFICATION:

Verified on Oath at this day of March, 2024 that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Kainat **Vs.** Karamat Ali

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

SCHEDULE OF WITNESSES:

1. Raheela Akram wife of Rana Masood-ur-Rehman, resident of Nishter Colony, Lahore.
2. Rana Masood-ur-Rehman son of Rana Akhter Mahmood Khan, presently residing at Babar Chowk, Street No.9, Gondal Chowk, Kacha Jail Road, Ferozepur Road, Lahore.
3. Plaintiff herself.

All the witnesses shall support the averments of the plaint and version of the plaintiff.

Plaintiff

Through:

Mirza Khalid Javaid Baig
Advocate High Court

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Kainat **Vs.** Karamat Ali

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

AFFIDAVIT FOR NON-AVAILABILITY OF NIKKAH NAMA.

AFFIDAVIT OF:

*Mst. Kainat daughter of Masood-ur-Rehman,
resident of House No.21, Usama Block, Nishter
Colony, Ferozepur Road, Cantt., Lahore.*

*I the above named deponent do hereby solemnly affirm and
declare as under:*

*That the plaintiff married to the defendant, Nikkah Nama is in
possession of defendant, the plaintiff is swearing this affidavit for
obtaining Khula.*

DEPONENT

VERIFICATION:

Verified on Oath at Lahore this ____ day of March, 2024 that the contents of the
above Affidavit are true and correct to the best of my knowledge and belief and
nothing has been concealed.

DEPONENT

**IN THE COURT OF SENIOR CIVIL JUDGE WITH THE POWER OF
FAMILY/GUARDIAN JUDGE, LAHORE.**

*Joshwa son of Mushtaq Masih, resident of House No.6,
Sector-D, Mohallah Youhanabad, Ferozepur Road, Cantt.,
Lahore.*

Petitioner

VERSUS

*Mst. Kinza daughter of Naveed Masih, resident of
Youhanabad, Ferozepur Road, Lahore.*

Respondent

**PETITION FOR DISSOLUTION OF MARRIAGE/ JUDICIAL
SEPARATION OF THE DIVORCE ACT 1869.**

Respectfully Sheweth:-

1. That the petitioner married with the respondent on 01.11.2021 according to Christian laws. Copy of

Marriage Certificate is attached for the kind perusal of this Honourable Court.

2. That Out of wedlock of petitioner and respondent no issue was born.
3. That the respondent is bad reputed lady and has illicit relations with other persons and always used to quarrel with petitioner on petty household matters. The petitioner always ignored every act and conduct of respondent but respondent did not pay any heed to it.
4. That due to the above said act of the respondent a great hatred has been developed in the heart and soul of the petitioner for respondent and the petitioner cannot live with the respondent as her husband.
5. That the petitioner approached to the respondent and requested her to leave such nefarious designs but she refused so that in this stage the petitioner cannot live with respondent, hence this suit.
6. That the cause of action accrued firstly when respondent started her activities which were not sustainable and finally when the respondent refused

to listen the lawful request of the petitioner and cause of action is still continuing day by day.

7. That the respondent is residing at Lahore, the cause of action also accrued at Lahore, therefore, this Hon'able Court has got jurisdiction to entertain and adjudicate upon the petition.

8. That the requisite court fee stamp has been aforesaid on the petition.

PRAYER:

Under the said circumstances it is, therefore, most respectfully prayed that the petition in hand may graciously be accepted and decree for judicial separation may kindly be passed in favour of the petitioner against the respondent to meet the ends of justice, equity and fair play.

Any other relief to which this Hon'able Court deems fit and proper may also be awarded.

Petitioner

Through

Hafiz Irfan Saddique

Advocate High Court

VERIFICATION:-

Verified on Oath at Lahore this day of December,
2023 that the contents of Paras 1 to 5 true to the best
of my knowledge and rest of Paras 6 to 8 are correct to
the best of my belief.

Petitioner

IN THE COURT OF SENIOR CIVIL JUDGE WITH THE POWER OF
FAMILY/GUARDIAN JUDGE, LAHORE.

In re:

Joshwa *Vs. Mst. Kinza*

PETITION FOR DISSOLUTION OF MARRIAGE/ JUDICIAL
SEPARATION OF THE DIVORCE ACT 1869.

SCHEDULE OF WITNESSES.

1. Petitioner himself.

*All the witnesses shall support the version of
the petitioner.*

Petitioner

Through

**Hafiz Irfan Saddique
Advocate High Court**

IN THE COURT OF SENIOR CIVIL JUDGE WITH THE POWER OF
FAMILY/GUARDIAN JUDGE, LAHORE.

In re:

Joshwa Vs. Mst. Kinza

(PETITION FOR DISSOLUTION OF MARRIAGE/JUDICIAL SEPARATION OF THE DIVORCE
ACT 1869)

AFFIDAVIT FOR NON-AVAILABILITY OF MARRIAGE REGISTRATION
CERTIFICATE

AFFIDAVIT OF: *Joshwa son of Mushtaq Masih, resident
of House No.6, Sector-D, Mohallah
Youhanabad, Ferozepur Road, Cantt.,
Lahore.*

*I the above named deponent do hereby solemnly affirm and
declare as under:*

*That the petitioner married to respondent, Marriage Registration
Certificate is in possession of respondent, the petitioner is swearing
this affidavit for obtaining order of Judicial Separation.*

Deponent

VERIFICATION:

Verified on Oath at Lahore this **day of December,**
2023 that the contents of the above Affidavit are true
and correct to the best of my knowledge and belief and
nothing has been concealed.

Deponent

IN THE COURT OF MR. SHER AFGAN, WORTHY GUARDIAN
JUDGE-III, LAHORE.

In re:-

Imran Ali Vs. Mariyam Bibi

(PETITION UNDER SECTION 25 OF THE GUARDIAN AND WARDS ACT ETC)

REPLY TO GUARDIAN PETITION ON BEHALF OF RESPONDENT.

Respectfully Sheweth;-

PRELIMINARY OBJECTIONS:

1. That the petitioner has not come in this Honourable Court with clean hands and also filed the above titled

petition with malafide intention and ulterior motives, just to harass and blackmail to the answering respondent.

2. That the petition of the petitioner is not maintainable, either in law or on facts and is liable to be dismissed.
3. That the petitioner has no locus standi against the answering respondent, therefore, the petition be kindly dismissed being non-maintainable.
4. That the petition filed by the petitioner is false, frivolous and bogus and the same is not maintainable and has been filed just to blackmail the answering respondent.
5. That the petitioner has not come to the Honourable Court with clean hands, hence the petition is liable to be dismissed.

ON MERITS:

1. That Para No.1 is admitted as correct.
2. That Para No.2 is totally denied.
3. That Para No.3 is totally denied.
4. That Para No.4 is denied being incorrect.
5. That Para No.5 is denied being incorrect.

6. That Para No.6 is totally denied being incorrect.
7. That Para No.7 is totally denied being incorrect.
8. That Para No.8 is denied being incorrect.
9. That the para No.9 is denied on the following:

REPLY TO GROUNDS

- a. Totally incorrect hence denied. Denied being incorrect, as explained earlier.
- b. Denied being incorrect.
- c. Denied being incorrect.
- d. Denied being incorrect.
- e. Denied being incorrect. The detail reply already given in above paras.
10. That Para No.10 is denied being incorrect, the petitioner has no cause of action in her favour.
11. Legal.
12. Legal.

It is, therefore, respectfully prayed that the guardian petition under reply kindly be dismissed with costs.

ANSWERING RESPONDENT

Through

Bashir Hussain Ch.
Advocate High Court

VERIFICATION:

*Verified on Oath at Lahore on this day of **December, 2023** that
the contents of the written statement alongwith preliminary
objections from Paras No.1 to 9 are true to the best of my knowledge
and rest of the Paras No.10 to 12 are correct to the best of my
information and belief.*

RESPONDENT

IN THE COURT OF MR. SHER AFGAN, WORTHY GUARDIAN
JUDGE-III, LAHORE.

In re:-

Imran Ali Vs. Mariyam Bibi

(PETITION UNDER SECTION 25 OF THE GUARDIAN AND WARDS ACT ETC)

REPLY TO THE APPLICATION UNDER SECTION 12 OF THE
GUARDIAN AND WARDS ACT.

Respectfully Sheweth;:-

- 1.
2. Denied being incorrect. The detail reply is given in preliminary objection and reply to the Section 25 of the Guardian and Wards Act petition.
3. That the petitioner has no *prima facie* and arguable case.
4. Denied being incorrect. The detail reply is given in preliminary objection.
5. Denied being incorrect.

PRAYER:

It is, therefore, most respectfully prayed that the application under reply may kindly be dismissed with special costs.

ANSWERING RESPONDENT

Through

Bashir Hussain Ch.

Advocate High Court

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

Guardian Petition No._____ / 2023

HRN / Plaintiff Lahore.

Petitioner

V E R S U S

LZ / Defendant Lahore.

Respondent

**PETITION UNDER SECTION 25 OF GUARDIAN AND WARDS ACT
1890 FOR THE CUSTODY OF MINORS**

Respectfully Sheweth:-

1. That the petitioner married to the respondent on 2016 according to Muslim Rites. During the subsistence of marriage the minors (1) AZ (son) (2) FN (daughter) were born, who are presently in the custody of respondent.
2. That the petitioner has a very much affection and inclination towards the minors being real father.
3. That the petitioner is entitled to have custody of said minors on following grounds amongst other;-

GROUNDS

- a. That the petitioner is the real father of the minors and as such he is the real and natural guardian of the minors.
- b. That atmosphere of the respondent's home is not conducive and healthy for the minors' mental growth and psychological welfare and health of the minors.
- c. That atmosphere of respondent's home is indiscreet, improper non-religious and non conducive for proper upkeep and growth of the minors.
- d. That the petitioner being the father and natural guardian of the minors wants to look after minors in a proper way for which the petitioner is seeking custody.

- e. That there is a strong apprehension that due to respondent's careless and rude attitude, the minors will not be properly looked after by the respondent and it is in the welfare of the minors that custody of minors be handed over to the petitioner as father of minors as early as possible.
- f. That the petitioner is ready and willing to become the actual guardian of the minors if custody of minors is given to petitioner in the larger interest and welfare of the minors.
- g. That the petitioner has great love and affection with the minors being real father. So he wants to take custody of the minors. It is pertinent to mention here that the minors' growth is reportedly not properly developing due to insufficient diet, improper medical treatment and improper look after.
- h. That the petitioner has time and again asked the respondent to handover the custody of the minors to the petitioner but the respondent has flatly refused to accede to the genuine request of the petitioner.

4. That the cause of action firstly accrued in favour of the petitioner and against the respondent when the respondent has flatly refused to handover the custody of the minors. The petitioner is not even allowed to have a meeting with the minors and the respondent finally refused to adhere the genuine and lawful request of petitioner, thus the cause of action is still continuing.
5. That the parties to the petition are residing at Lahore, cause of action has accrued at Lahore, hence this Hon'able Court has got jurisdiction to entertain the matter.
6. That the requisite court fee has been affixed on the plaint.

PRAYER:

Under the above said circumstances, it is most respectfully prayed that keeping in view the above alarming situation and welfare and future of the minors, the petition under hand may kindly be accepted and the custody of the minors may kindly be handed over permanently to the petitioner for proper and better welfare of minors keeping in view future of the minors.

It is further prayed that till the decision of this petition the respondent may kindly be directed to bring the minors in this Hon'able Court and the petitioner be allowed to see/meet minors under the supervision of this Honourable Court and be restrained from removing the minors from the jurisdiction of this Honourable Court i.e. out of city.

***Any other relief which this Hon'able Court deems fit
may also be awarded.***

Petitioner

Through

VERIFICATION:

Verified on Oath at Lahore, this day of December, 2023 that the contents of the above petition from Paras 1 to 3 are true and correct to the best of my knowledge and rest of the Paras 4 to 6 are correct to the best of my information and belief.

Petitioner

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

In re:

HRN / Plaintiff **Vs.** LZ / Defendant

(PETITION UNDER SECTION 25 OF GUARDIAN AND WARDS ACT
1890)

Application: **UNDER SECTION 12 OF THE GUARDIANS AND
WARDS ACT FOR INTERIM CUSTODY OF THE
MINORS.**

Respectfully Sheweth:-

1. That the petitioner has filed the accompanying petition under Section 25 of the Guardian & Wards Act in this Hon'able Court and the contents thereof may kindly be read and treated as an integral part of this application.
2. That because of in-conducive atmosphere, neglect and carelessness of the respondent towards the minors, not only the physical but mental health of the minors is in a very serious condition and there is strong apprehension of further deterioration of the minors if minors are not taken

from custody of the respondent. That the petitioner is not being allowed to even see the minors.

3. That in order to protect the interest, welfare and well-being of the minors and for benefit of minors, the exigency of the case demands that interim custody of minors may be handed over to the petitioner for which this Hon'able Court has got prerogative.
4. That if the interim custody sought for, is not granted, it will be injurious and harmful for the minors to keep minors in the custody of the respondent till the decision of the main case.
5. That the petitioner has a good *prima facie* case in his favour and balance of convenience also lies in favour of the petitioner.
6. That if interim custody of the minors is not handed over to the petitioner, the petitioner as well as the minors would be bound to suffer an irreparable loss and injury.

In view of the submissions made above, it is respectfully prayed that interim custody of the minors may kindly be handed over to the

*petitioner/father till the decision of the main
Guardian Petition in the interest of justice.*

*It is further prayed that the respondent may
kindly be ordered to produce the minors before this
Hon'able Court on each and every date of hearing for
meeting with the petitioner.*

*It is also further prayed that the respondent
may also be restrained from removing the minors
from the TERRITORIAL JURISDICTION of this
Hon'able Court till the decision of the case.*

Petitioner

Through

IN THE COURT OF GUARDIAN JUDGE, LAHORE.

In re:

HRN / Plaintiff **Vs.** LZ / Defendant

(PETITION UNDER SECTION 25 OF GUARDIAN AND WARDS ACT
1890)

Application: **UNDER SECTION 12 OF THE GUARDIANS AND
WARDS ACT FOR INTERIM CUSTODY OF THE
MINORS.**

AFFIDAVIT OF: HRN / Plaintiff Lahore.

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying "**Application**" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this day of December, 2023 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

**IN THE COURT OF MR. NAVEED AHMED MALIK, WORTHY
GUARDIAN JUDGE-IV, LAHORE.**

Guardian case No.5512/G.C of 2023

Hina Zafar daughter of Zafar Ahmed Malik, resident of House No.20-B, Sector-EME, DHA, Lahore.

Petitioner

Versus

1. Public-at-Large.

2. Iftikhar Rasool son of Ghulam Rasool, resident of House No.701, Street No.293, Block-X, People Colony, Gujranwala.

RESPONDENT

**APPLICATION FOR PERMISSION TO TAKE THE MINORS ABROAD
FOR HER BETTER FUTURE.**

Respectfully Sheweth: -

1. That the above titled guardian case was decided on 04.10.2023 and the petitioner was appointed as guardian for person of the minors namely (1) Ibaad Malik (son) date of birth 06.05.2012, (2) Aleezay Malik (daughter) date of birth 29.10.2010 in the said case.
2. That the applicant being the real mother of the minors, for the better future of the minors intends to take the minors abroad for her better future.
3. That instant application is being filed for allowing the applicant for taking the minors abroad.
4. That if the instant application is not allowed, the applicant will suffer irreparable loss and injury.

In view of the above said circumstances, it is, therefore, most respectfully prayed that the permission to take the minors abroad may very kindly be granted for the welfare of the minors,

the petitioner being real mother shall properly look after the minors.

Any other relief which this Honourable Court deems fit may also be awarded.

Petitioner

Through

Advocate High Court

**IN THE COURT OF MR. NAVEED AHMED MALIK, WORTHY
GUARDIAN JUDGE-IV, LAHORE.**

In re:

Hina Zafar Vs. Public-at-large etc.

**APPLICATION FOR PERMISSION TO TAKE THE MINORS ABROAD
FOR HER BETTER FUTURE.**

AFFIDAVIT OF: Hina Zafar daughter of Zafar Ahmed Malik, resident of House No.20-B, Sector-EME, DHA, Lahore.

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying Application are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this day of
November, 2023 that the contents of the above Affidavit are true and correct to the best of

my knowledge and belief and nothing has been concealed.

Deponent

IN THE COURT OF , WORTHY GUARDIAN JUDGE-IV, LAHORE.

Guardian case No.5512/G.C of 2023

HZ /Plaintiff daughter of Zafar Ahmed Malik, resident of House No.20-B, Sector-EME, DHA, Lahore.

Petitioner

Versus

1. Public-at-Large.

2. IR /Defendant Gujranwala.

RESPONDENT

**APPLICATION FOR PERMISSION TO TAKE THE MINORS ABROAD
FOR HER BETTER FUTURE.**

Respectfully Sheweth: -

1. That the above titled guardian case was decided on 2023 and the petitioner was appointed as guardian for person of the minors namely (1) IM (son) date of birth 2012, (2) AM(daughter) date of birth 2010 in the said case.
2. That the applicant being the real mother of the minors, for the better future of the minors intends to take the minors abroad for her better future.
3. That instant application is being filed for allowing the applicant for taking the minors abroad.
4. That if the instant application is not allowed, the applicant will suffer irreparable loss and injury.

In view of the above said circumstances, it is, therefore, most respectfully prayed that the permission to take the minors abroad may very kindly be granted for the welfare of the minors, the petitioner being real mother shall properly look after the minors.

Any other relief which this Honourable Court deems fit may also be awarded.

Petitioner

IN THE COURT OF , WORTHY GUARDIAN JUDGE-IV, LAHORE.

In re:

HZ /Plaintiff Vs. Public-at-large etc.

**APPLICATION FOR PERMISSION TO TAKE THE MINORS ABROAD
FOR HER BETTER FUTURE.**

AFFIDAVIT OF: HZ /Plaintiff Lahore.

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying Application are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this day of November, 2023 that the contents of the above

Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

Deponent

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

HS / PLAINTIFF

, Lahore.

Plaintiff

VERSUS

BS / DEFENDANT

Lahore.

Defendant

**SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA.**

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant on 2008 according to Muslim Rites and Sunnah. Copy of Nikkah Nama is attached for kind perusal.
- 2- That out of this wedlock four child was born namely (1) EB, (2) AB, (3) RB, (4) ASB.
- 3- That at the time of marriage the parents of the plaintiff gave precious dowry articles to the plaintiff, which are in the possession of the defendant.
- 4- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff as maintenance allowance.
- 5- That the defendant is cruel temperament person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 6- That _____, the defendant after giving her severs beating, and snatching all her belongings, including the ornaments, the defendant ousted the plaintiff from his house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address.
- 7- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.
- 8- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly

lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.

- 9- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house and finally when the defendant flatly refused to listen the request of the plaintiff and the same is still continue.
- 10- That the **parties** to the suit are residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.
- 11- That the prescribed court fee has been affixed on the plaint.

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

VERIFICATION:

Verified on Oath at this **day of May, 2024** that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF GUARDIAN JUDGE, LAHORE.
(Model Town Courts)

Guardian Petition No. _____ /2024

MHA, Lahore.

Petitioner

V E R S U S

Mst. IKB_L, Lahore.

Respondent

**PETITION UNDER SECTION 25 OF GUARDIAN AND WARDS ACT 1890 FOR THE
CUSTODY OF MINOR**

Respectfully Sheweth:-

1. That the petitioner married to the respondent on 2022 according to Muslim Rites. During the subsistence of marriage the minor HH date of birth .2023 was born, who is presently in the custody of respondent.
2. That the petitioner has a very much affection and inclination towards the minor being real father.
3. That the petitioner is entitled to have custody of said minor on following grounds amongst other;-

GROUNDS

- a. That the petitioner is the real father of the minor and as such he is the real and natural guardian of the minor.
- b. That atmosphere of the respondent's home is not conducive and healthy for the minor' mental growth and psychological welfare and health of the minor.
- c. That atmosphere of respondent's home is indiscreet, improper non-religious and non conducive for proper upkeep and growth of the minor.
- d. That the house of the defendant's parents is very small and brother of the defendant is also married and having child and in the presence of large family minor is not combatable their and defendant not suckling the baby her mother feed and minor is on powder milk.

- e. That the petitioner being the father and natural guardian of the minor wants to look after minor in a proper way for which the petitioner is seeking custody.
 - f. That there is a strong apprehension that due to respondent's careless and rude attitude, the minor will not be properly looked after by the respondent and it is in the welfare of the minor that custody of minor be handed over to the petitioner as father of minor as early as possible.
 - g. That the petitioner is ready and willing to become the actual guardian of the minor if custody of minor is given to petitioner in the larger interest and welfare of the minor.
 - h. That the petitioner has great love and affection with the minor being real father. So he wants to take custody of the minor. It is pertinent to mention here that the minor' growth is reportedly not properly developing due to insufficient diet, improper medical treatment and improper look after.
 - i. That the petitioner has time and again asked the respondent to handover the custody of the minor to the petitioner but the respondent has flatly refused to accede to the genuine request of the petitioner.
 - j. That the mother of defendant is very hard and does not allowed to visit any relative or any neighbor to come in their house, they are very adam disgusted family and there behaviour towards plaintiff is very harsh, miserable and improper with his son-in-law/plaintiff.
4. That the cause of action firstly accrued in favour of the petitioner and against the respondent when the respondent has flatly refused to handover

the custody of the minor. The petitioner is not even allowed to have a meeting with the minor and the respondent finally refused to adhere the genuine and lawful request of petitioner, thus the cause of action is still continuing.

5. That the parties to the petition are residing at Lahore, cause of action has accrued at Lahore, hence this Hon'able Court has got jurisdiction to entertain the matter.
6. That the requisite court fee has been affixed on the plaint.

PRAYER:

Under the above said circumstances, it is most respectfully prayed that keeping in view the above alarming situation and welfare and future of the minor, the petition under hand may kindly be accepted and the custody of the minor may kindly be handed over permanently to the petitioner for proper and better welfare of minor keeping in view future of the minor.

It is further prayed that till the decision of this petition the respondent may kindly be directed to bring the minor in this Hon'able Court and the petitioner be allowed to see/meet minor under the supervision of this Honourable Court and be restrained from removing the minor from the jurisdiction of this Honourable Court i.e. out of city.

Any other relief which this Hon'able Court deems fit may also be awarded.

Petitioner

Through

VERIFICATION:

Verified on Oath at Lahore, this day of February, 2024 that the contents of the above petition from Paras 1 to 3 are true and correct to the best of my knowledge and rest of the Paras 4 to 6 are correct to the best of my information and belief.

Petitioner

IN THE COURT OF GUARDIAN JUDGE, LAHORE.
(Model Town Courts)

In re:

MHA Vs. Mst. IKBL

(PETITION UNDER SECTION 25 OF GUARDIAN AND WARDS ACT 1890)

Application: **UNDER SECTION 12 OF THE GUARDIANS AND WARDS ACT
FOR INTERIM CUSTODY OF THE MINOR.**

Respectfully Sheweth;:-

1. That the petitioner has filed the accompanying petition under Section 25 of the Guardian & Wards Act in this Hon'able Court and the contents thereof may kindly be read and treated as an integral part of this application.
2. That because of in-conducive atmosphere, neglect and carelessness of the respondent towards the minor, not only the physical but mental health of the minor is in a very serious condition and there is strong apprehension of further deterioration of the minor if minor are not

taken from custody of the respondent. That the petitioner is not being allowed to even see the minor.

3. That in order to protect the interest, welfare and well-being of the minor and for benefit of minor, the exigency of the case demands that interim custody of minor may be handed over to the petitioner for which this Hon'able Court has got prerogative.
4. That if the interim custody sought for, is not granted, it will be injurious and harmful for the minor to keep minor in the custody of the respondent till the decision of the main case.
5. That the petitioner has a good *prima facie* case in his favour and balance of convenience also lies in favour of the petitioner.
6. That if interim custody of the minor is not handed over to the petitioner, the petitioner as well as the minor would be bound to suffer an irreparable loss and injury.

In view of the submissions made above, it is respectfully prayed that interim custody of the minor may kindly be handed over to the petitioner/father till the decision of the main Guardian Petition in the interest of justice.

It is further prayed that the respondent may kindly be ordered to produce the minor before this Hon'able Court on each and every date of hearing for meeting with the petitioner.

It is also further prayed that the respondent may also be restrained from removing the minor from the TERRITORIAL JURISDICTION of this Hon'able Court till the decision of the case.

Petitioner

Through

Ch. Jameel Akhter
Advocate High Court

IN THE COURT OF GUARDIAN JUDGE, LAHORE.
(Model Town Courts)

In re:

MHA Vs. Mst. IKBL

(PETITION UNDER SECTION 25 OF GUARDIAN AND WARDS ACT 1890)

Application: **UNDER SECTION 12 OF THE GUARDIANS AND WARDS ACT
FOR INTERIM CUSTODY OF THE MINOR.**

AFFIDAVIT OF: MHA , Lahore.

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying "Application" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this ____ day of February, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

IN THE COURT OF SENIOR GUARDIAN JUDGE LAHORE
With the powers of Judge Family Court Lahore.

Family Suit No. _____ /2024

MHA, Lahore.

PLAINTIFF

V E R S U S

Mst. IKBL, Lahore.

DEFENDANT

SUIT FOR RESTITUTION OF CONJUGAL RIGHTS.

Respectfully Sheweth:

1. That the spouses married on 2022 according to Muslim Rites & Rituals. Copy of Nikkah Nama is attached herewith.

2. That out of this wedlock one daughter namely HH date of birth 2023 was born, who is alive and in the custody of the defendant.
3. That the plaintiff is giving a very decent care to his wife since the marriage was solemnized and always gave the honour to his wife and the demands of the defendant.
4. That from the very beginning both the spouses led matrimonial life very happily, the plaintiff also provided maintenance and fulfilled every demand of the defendant keeping in view his source of income.
5. That on 2023 at the time of Isha prayer brother and parents of the defendant came at the house of the plaintiff and loudly announcing in the Mohallah of plaintiff and call the plaintiff out of the house and beat the plaintiff and it was sudden attack and shocked to the plaintiff but after intervene of the respectable of the

vicinity they stop it and ready to sit in the drawing room of the plaintiff for dialog, the mother of the defendant blamed me that plaintiff have beaten my daughter/defendant and on her complaint we have come but before all the Punchait and police they were proved wrong and very next day 2023 defendant left the house of the plaintiff.

6. That on .2023, the defendant left the house of the plaintiff and took away precious and necessary articles and the defendant did not come back uptill now. The plaintiff went to the house of the defendant's parents and requested them to send back the defendant, but the parents of the defendant and defendant also refused to come back with the plaintiff and threatened for dire consequences.
7. That the plaintiff again approached to the defendant's parents alongwith some respectable of

the family members and vicinity for taking back the defendant, but the defendant's parents and defendant also again refused to accept the genuine demand of the plaintiff.

8. That the plaintiff has great love and affection with the defendant and his baby child and he is ready to take back the defendant in his house at any cost and defendant also bound to perform her matrimonial obligation according to Sharia.
9. That the cause of action firstly arose in favour of the plaintiff and against the defendant firstly when the defendant left the house of the plaintiff and finally when the defendant flatly refused to listen the genuine and lawful request of the plaintiff and the same still continues due to the refusal of the defendant.
10. That the plaintiff is residing at Lahore, cause of action also accrued at Lahore, hence this Hon'able Family Court has got jurisdiction to adjudicate upon the matter.
11. That the value of the suit for the purpose of court fee is fixed Rs.15/-.

It is, therefore, most respectfully prayed that a decree for restitution of conjugal rights may kindly be passed in favour of the plaintiff and against the defendant, directing her to join the plaintiff and perform her matrimonial obligations in the house of the plaintiff.

Any other relief which this Hon'able Court deems fit may also be awarded.

Plaintiff

Through

VERIFICATION:

Verified on Oath at Lahore, this _____ day of February, 2024 that the contents of the above plaint from Paras No.1 to 8 are true and correct to the best of my knowledge and rest of the Paras No.9 to 11 correct to the best of my information and belief.

Plaintiff

IN THE COURT OF GUARDIAN JUDGE LAHORE.

Petition No. _____/2024

GM , Lahore.

Petitioner

V E R S U S

NL Bahawalnagar.

Respondent

**PETITION UNDER SECTION 7 OF GUARDIAN & WARDS ACT,
1890 FOR THE PERMANENT CUSTODY OF MINOR MS
(DAUGHTER) DATE OF BIRTH 2012.**

Respectfully Sheweth:-

1. That the brief facts of the case are that petitioner married to respondent on 2007 according to Islamic Rites. Whole dower has been paid by the petitioner to the respondent.
2. That according to above said wedlock minor **MS (daughter)** **date of birth.2012** was born, who is presently in the custody of the petitioner/real father of the minor.
3. That the respondent has left the house of the petitioner without any information and she has left the minor with the petitioner a week ago, respondent is an addicted lady and even also sells narcotics and has illicit relations with bad reputed persons.
4. That the petitioner being the real father of the minor seeks the custody of the minor inter alia on the following amongst other;-

GROUND

- a. That the petitioner being real father of the minor is looking after minor in good way.
 - b. That the petitioner is natural guardian of minor.
 - c. That the respondent is addicted lady and even she also sells narcotics, she will definitely ruin future of minor in case the custody of minor would be given to respondent or snatched by the respondent.
 - d. That the respondent is characterless lady and has illicit relations with bad reputed persons, so she is unable to provide good atmosphere to minor and she is unable to morally teach the minor in good way.
 - e. That the minor is daughter and respondent will definitely ruin future of minor as respondent is careless and characterless lady.
 - f. That the mother of the petitioner is alive who can also supervise minor.
 - g. That the petitioner is real father of the minor and has also great affection towards the petitioner.
 - h. That atmosphere of the respondent's house is not congenial and conducive for the nourishment and brought-up of the minor.
 - i. That the welfare and interests of the minor lies with the petitioner and if the custody of the minor is not remained with the petitioner, the minor ward will suffer mentally and physically.
 - j. That the petitioner has better educational and health facility than the respondent and atmosphere of the house of the petitioner's parents' house is suitable for the minor.
5. That yesterday evening the respondent alongwith some gunda elements came at the house of the petitioner and forcibly tried take the minor but due to timely intervention of the respectables she failed into her nefarious designs, hence this petition.
6. That the cause of action arose when the respondent left the house of the petitioner and finally when the respondent tried to take the minor and the same cause of action is still continuous.
7. That the petitioner resides at Lahore, cause of action accrued at Lahore, therefore, this Hon'able Court has got jurisdiction to adjudicate upon the matter.
8. That the requisite court fee has been affixed.

PRAYER

***Under the above circumstances it is, therefore,
most respectfully prayed;-***

- a. ***That the petitioner be appointed the guardian of
the said minor.***
- b. ***The respondent may kindly be restrained from
snatching the custody of the minor from the
petitioner.***
- c. ***The permanent custody of minor may kindly be
remained with the petitioner in the largest interest
of the minor' welfare.***
- d. ***Any other relief which this Hon'able Court deems
fit may also be awarded.***

Petitioner

Through

Advocate High Court

VERIFICATION

Verified on Oath at Lahore, this _____ of April, 2024 that the contents of the above petition from Paras 1 to 5 are true and correct to the best of my knowledge and rest of the Paras 6 to 8 correct to the best of my information and belief.

Petitioner

IN THE COURT OF GUARDIAN JUDGE LAHORE.

In re:

GM **Vs.** NL
(GUARDIAN PETITION)

APPLICATION FOR THE GRANT OF STAY ORDER.

Respectfully Sheweth:-

1. That the above titled petition has filed before this Hon'ble Court in which no date of hearing has been fixed as yet.
2. That the contents of the main petition may kindly be read as an integral part of the said application.
3. That the petitioner has a good source of income and is capable of providing better nourishment to the minor children.
4. That the petitioner has good prima facie and arguable case and there is every likelihood for his success.
5. That the balance of convenience lies in favour of the petitioner.
6. That if the respondent is not restrained from snatching the custody of the minor permanently the petitioner as well as the minor would suffer irreparable loss and injury.

It is, therefore, most respectfully prayed that the instant application may very kindly be accepted and the respondent may very kindly be restrained from snatching the custody of the minor in order to meet the fundamental principle of natural justice.

Petitioner
Through

Advocate High Court

IN THE COURT OF GUARDIAN JUDGE LAHORE.

In re:

GM **Vs.** NL
(GUARDIAN PETITION)

APPLICATION FOR THE GRANT OF STAY ORDER.

AFFIDAVIT OF: GM , Lahore.

I the above named deponent do hereby solemnly affirm and declare as under:

*That the contents of accompanying "**Application**" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.*

Deponent

VERIFICATION:

Verified on Oath at Lahore this day ____ of April, 2024 which the contents of above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MST. FF LAHORE.

Plaintiff

VERSUS

SR LAHORE.

Defendant

**SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA.**

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant on 2023 according to Muslim Rites and Sunnah. Copy of Nikkah Nama is attached for kind perusal.
- 2- That out of this wedlock no progeny born.

- 3- That at the time of marriage the parents of the plaintiff gave precious dowry articles to the plaintiff, which are in the possession of the defendant.

- 4- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff as maintenance allowance.
- 5- That the defendant is cruel temperament person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 6- That a week ago, the defendant after giving her severs beating, and snatching all her belongings, including the ornaments, the defendant ousted the plaintiff from his house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address.
- 7- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.
- 8- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.
- 9- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house and finally when the defendant flatly refused to listen the request of the plaintiff and the same is still continue.

- 10- That the parties to the suit are residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.
- 11- That the prescribed court fee has been affixed on the plaint.

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

Through:

.

VERIFICATION:

Verified on Oath at this day of December, 2023 that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF, LEARNED JUDGE FAMILY COURT, LAHORE.

In re:-

FM Vs. MM

***(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE WITH
ENHANCEMENT)***

**APPLICATION ON BEHALF OF DEFENDANT FOR SETTING ASIDE
EX-PARTE PROCEEDINGS/ORDER DATED _____.**

Respectfully Sheweth:-

- i. That the above titled suit is pending adjudication in this Honourable Court and is fixed for today.
- ii. That the plaintiff by suppressing facts with malafide intention and ulterior motives obtained the ex parte proceedings against the applicant from this Honourable Court on _____.

iii. That the ex-parte proceedings order is liable to be set-aside inter-alia on the following amongst other:-

GROUNDS

- a. That no notice, summons was ever received by the applicant/defendant issued by this Hon'able Court, because the respondent/ plaintiff with malafide intention did not serve any notice to applicant just for obtaining an ex-parte decree against the petitioner.
- b. That the plaintiff obtained the impugned order fraudulently by this Hon'able Court due to non-serving of notice, hence is liable to be set-aside.
- c. That the impugned order has been obtained by misrepresentation from this Hon'able Court, hence liable to be set-aside.
- d. That it is very settled law and the direction of the apex court are available that the cases should have been decided on merits instead of technicalities and law demands decision of cases on merits rather than technicalities.

- e. That it is a fundamental right of the applicant/ defendant to defend the present case in accordance with the law and facts.
- f. That the applicant/defendant is condemned unheard.
- g. That the applicant/defendant has a lot of material to present and submit before this Hon'able Court in his favour for the dismissal of the above titled suit.
- h. That if the ex-parte proceedings/order is not set-aside the applicant/defendant shall suffer irreparable loss and injury.

PRAYER:

Under the above said circumstance it is therefore, most respectfully prayed that the ex-parte order dated _____ may kindly be set-aside and the applicant be allowed to defend the suit on merits in the interest of justice.

Any other relief which this Hon'able Court deems fit may also be awarded.

Applicant/defendant

IN THE COURT OF, LEARNED JUDGE FAMILY COURT, LAHORE.

In re:-

FM Vs. MM

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE WITH
ENHANCEMENT)

APPLICATION ON BEHALF OF DEFENDANT FOR SETTING ASIDE
EX-PARTE PROCEEDINGS/ORDER DATED .

AFFIDAVIT OF: **MM** Rawalpindi.

I the above named deponent solemnly affirm and declare on Oath as under:

That the contents of the accompanying **Application** affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

DEPONENT

VERIFICATION:-

Verified on Oath at Lahore this **day of March, 2024** that the contents of the above affidavit are true and correct to

the best of my knowledge and belief and nothing has been concealed therein.

DEPONENT

IN THE COURT OF, LEARNED JUDGE FAMILY COURT, SAMUNBRI.

In re:-

FK etc. Vs. SK

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

APPLICATION FOR SETTING ASIDE EX-PARTE
ORDER/PROCEEDINGS DATED _____ JUDGMENT AND DECREE
DATED 2023.

Respectfully Sheweth; -

1. That the brief facts of the instant application are that; -
 - i. That the above titled suit was ex parte decreed from this Honourable Court vide judgment and decree dated 2023, now execution of the same is

pending before this Honourable Court and is fixed for _____.

ii. That it came in the knowledge of the applicant few days ago, that the respondent through fraud and misrepresentation has obtained the judgment and decree from this Honourable Court.

iii. That the ex-parte decree is liable to be set-aside on the following amongst other; -

GROUNDS

a. That the petitioner was never served any notice, summon or proclamation by this Hon'able Court, because the respondent/ plaintiff did not serve any notice to defendant just obtaining an ex-parte decree against the petitioner.

b. That the plaintiff obtained the impugned decree fraudulently by this Hon'able Court due to non-serving of notice, hence is liable to be set-aside.

- c. That the impugned decree has been obtained by misrepresentation from this Hon'able Court, hence liable to be set-aside.
- d. That it is very settled law and the direction of the apex court are available that the cases should have been decided on merits instead of technicalities.
- e. That it is a fundamental right of the applicant/defendant to defend the present case in accordance with the law and facts which has not been added into the knowledge of this Hon'able Court, which should have been help and assist this court by deciding the matter on merits.
- f. That the applicant/defendant has a lot of material to present and submit before this Hon'able Court in his favour.

- g. That the applicant/defendant wants to submit his written reply and evidence to assist this Hon'able Court.
- h. That the applicant/defendant is ought to assist the court to help this Hon'able Court for having just and proper decision in this regard.
- i. That if the ex-parte decree is not set-aside the applicant/defendant shall suffer irreparable loss and injury.

PRAYER:

Under the above said circumstance it is therefore, most respectfully prayed that application may very kindly be accepted and ex-parte order dated _____ may kindly be set-aside and the ex-parte judgment and decree dated 2023 may kindly be set-aside and the applicant be allowed to defend the suit in the interest of justice.

It is also prayed that the proceeding in the execution regarding the exparte judgment/decree

dated 2023 and operation of judgment and decree dated 2023 may kindly be suspended/stayed in the interest of justice.

Any other relief which this Hon'able Court deems fit may also be awarded.

Advocate High Court

IN THE COURT OF LEARNED JUDGE FAMILY COURT, SAMUNBRI.

In re:-

FK etc. Vs. SK

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

APPLICATION FOR SETTING ASIDE EX-PARTE JUDGMENT AND
DECREE DATED 2023.

AFFIDAVIT OF: *SK Lahore.*

*I the above named deponent do hereby solemnly affirm and declare
as under:*

*That the contents of accompanying Application are true and correct to
the best of my knowledge and belief and nothing has been concealed
therein.*

Deponent

VERIFICATION:

Verified on Oath at Samunbri this day of
April, 2024 that the contents of the above
affidavit are true and correct to the best of my
knowledge and belief and nothing has been
concealed therein.

Deponent

IN THE COURT OF MS. TAHIRA YAQOOB AWAN, LEARNED JUDGE
FAMILY COURT, SAMUNBRI.

In re:-

FK etc. Vs. SK

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

(APPLICATION FOR SETTING ASIDE EX-PARTE JUDGMENT AND DECREE
DATED 2023)

APPLICATION FOR SUSPENSION OF OPERATION OF JUDGMENT AND
DECREE DATED 2023 AND FOR STAYING THE EXECUTION
PROCEEDINGS.

Respectfully Sheweth:-

1. That the applicant has filed the above titled application in this Honourable court.

2. That the contents of the main application may kindly be read as an integral part and parcel of this application.

3. That applicant has a good *prima facie* case in his favour and the same is likely to be succeeded.
4. That the balance of convenience lies in favour of the applicant and against the respondent.
5. That if the interim relief as prayed for is not granted, the applicant shall suffer irreparable loss and injury.

PRAAYER:

It is, therefore, most respectfully prayed that; -

- i. *That the execution proceedings against the applicant may kindly be stayed for the interest of justice.*
- ii. *Operation of the judgment and decree dated 2023 may very kindly be suspended.*

Ad-interim injunction may also be awarded.

Any other relief which this Honourable Court deems fit and proper may also be awarded.

IN THE COURT OF N, LEARNED JUDGE FAMILY COURT,
SAMUNBRI.

In re:-

FK etc. Vs. SK

(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

(APPLICATION FOR SETTING ASIDE EX-PARTE JUDGMENT AND DECREE
DATED 2023)

APPLICATION FOR SUSPENSION OF OPERATION OF JUDGMENT AND
DECREE DATED 2023 AND FOR STAYING THE EXECUTION
PROCEEDINGS.

AFFIDAVIT OF: *SK Lahore.*

*I the above named deponent do hereby solemnly affirm and declare
as under:*

*That the contents of accompanying Application are true and correct to
the best of my knowledge and belief and nothing has been concealed
therein.*

Deponent

VERIFICATION:

Verified on Oath at Samunbri this day of April, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

**IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS OF JUDGE
FAMILY COURT, LAHORE.**

1. ***Mst.AN Lahore.***
 2. MFS (son) aged about 17-Years,
 3. MFH (son) aged about 15-Years
 4. MS (son) aged about 11-Years
- (Minors through real mother plaintiff No.1)***

Plaintiffs

VERSUS

SA son of

Defendant

SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE.

Respectfully Sheweth:-

1. That tersely the facts necessitating for the filing of instant Family Suit are that plaintiff No.1 married to the defendant on 2004 in accordance with the Muslim Rites. Copy of Nikahnama is attached herewith.
2. That out of this wedlock plaintiffs No.2 to 4 were born, who are residing with plaintiff No.1 and plaintiff No.1 is enduring all the expenses of feed, cloths, medication etc.
3. That after marriage for some time relations between the parties remained cordial but later on the defendant changed his attitude and started quarrel with plaintiff No.1 on petty household matters and also started to beat and maltreat plaintiff No.1 and made her life miserable.
4. That on 2023, the defendant deserted plaintiff No.1 from his house in three wearing clothes after snatching the dowry articles and golden ornaments belonging to plaintiff No.1 and since then plaintiff No.1 is residing in the house of her parents.
5. That during this whole period of desertion, the defendant did not bother to visit the parental house of plaintiff No.1 to see the plaintiffs and did not pay a single penny to the plaintiffs as maintenance, as under the law it is the duty and obligation of the defendant to maintain the plaintiffs.
6. That the defendant is man of means and he is earning a handsome and attractive amount more than Rs.100,000/- per month, but he ignored his obligations and avoided to maintain the plaintiffs. It is the legal right of plaintiffs to demand the maintenance at the rate of Rs.10,000/- per month each with 10% increase annually in future from the defendant.
7. That plaintiff No.1 numerously approached the defendant and requested him to pay the maintenance allowance at the above said rate but the defendant postponed the matter of payment upon one pretext or the other.
8. That the cause of action arose in favour of the plaintiff and against the defendant firstly when the defendant kicked out plaintiff No.1 from his house and lastly when the defendant refused to pay the maintenance to the plaintiffs Rs.10,000/- per month each and the same is still continuing.
9. That the plaintiffs are residing at Lahore and the cause of action also accrued at Lahore, hence this Hon'able Court has got the jurisdiction to adjudicate the matter.

10. That the requisite court fee has been affixed upon the plaint.

PRAYER:

In view of the above submissions, it is therefore, most respectfully prayed that a decree for recovery of maintenance allowance @ Rs.10,000/- per month (each plaintiff) may very kindly be passed in favour of the plaintiffs against the defendant with 10% increase annually to meet the ends of justice.

It is further prayed that a decree for the past maintenance allowance @ Rs.10,000/- per month from desertion to upto now may kindly be passed in favour of the plaintiffs and against the defendant.

It is further prayed that the defendant may kindly be directed to pay Rs.10,000/- per month to each plaintiff, as an interim maintenance allowance till the final disposal of the main suit.

Any other relief which this Hon'able Court deems fit and proper may also kindly be awarded.

Plaintiffs

VERIFICATION:

Verified on Oath at Lahore, this _____ day of December, 2023 that the contents of the above plaint from Paras 1 to 7 are true and correct to the best of my knowledge and rest of the Paras 8 to 10 are correct to the best of my information and belief.

Plaintiffs

IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS OF JUDGE
FAMILY COURT, LAHORE.

In re:

Mst.AN etc. Vs. SA
(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT, 1964 FOR THE
GRANT OF INTERIM MAINTENANCE ALLOWANCE.

Respectfully Sheweth:-

1. That the petitioners have filed the above titled suit in this Honourable Court in which no date of hearing has yet been fixed.
2. That the contents of the suit may kindly be read as an integral part and parcel of this application.
3. That petitioners have a good *prima facie* case in his favour and the suit is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioners and against the respondent.
5. That if the interim relief as prayed for is not granted, the petitioners shall suffer irreparable loss and injury.

Under the above circumstances it is, therefore, most respectfully prayed that the respondent may kindly be directed to pay interim maintenance allowance @ Rs.10,000/- per month to the each petitioner till the final decision of the suit.

Petitioners

Through
Miss Ainee

Advocate High Court

IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS OF JUDGE
FAMILY COURT, LAHORE.

In re:

Mst.AN etc. Vs. SA
(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT, 1964 FOR THE
GRANT OF INTERIM MAINTENANCE ALLOWANCE.

AFFIDAVIT OF: ***Mst.AN***

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this day of December, 2023 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

Deponent

IN THE COURT OF SENIOR GUARDIAN JUDGE
WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MST. BARBARA

Daughter of Muhammad _____ resident of

Plaintiff

VERSUS

JASON

Son of Muhammad _____ resident of

Defendant

**SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA.**

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant on _____ according to Muslim Rites and Sunnah. Copy of Nikkah Nama is attached for kind perusal.
- 2- That out of this wedlock no progeny born.

- 3- That at the time of marriage the parents of the plaintiff gave precious dowry articles to the plaintiff, which are in the possession of the defendant.
- 4- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff as maintenance allowance.
- 5- That the defendant is cruel temperament person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 6- That _____, the defendant after giving her severs beating, and snatching all her belongings, including the ornaments, the defendant ousted the plaintiff from his house in three

wearing cloths. Since then the plaintiff has been residing at the above mentioned address.

- 7- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.
- 8- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.
- 9- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house and finally when the defendant

flatly refused to listen the request of the plaintiff and the same is still continue.

- 10- That the **parties** to the suit are residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.
- 11- That the prescribed court fee has been affixed on the plaint.

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

Through:

VERIFICATION:

Verified on Oath at this day of February, 2024 that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Barbara **Vs.** Jason

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

SCHEDULE OF WITNESSES:

- 1.
- 2.
3. Plaintiff herself.

All the witnesses shall support the averments of the plaint and version of the plaintiff.

Plaintiff

Through:

Muhammad Tabsheer
Advocate High Court
Aiwan-e-Adal, Lahore.

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. Barbara **Vs.** Jason

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA)

AFFIDAVIT FOR NON-AVAILABILITY OF NIKKAH NAMA.

AFFIDAVIT OF: Mst. Barbara daughter of

*I the above named deponent do hereby solemnly affirm and
declare as under:*

*That the plaintiff married to the defendant, Nikkah Nama is in
possession of defendant, the plaintiff is swearing this affidavit for
obtaining Khula.*

DEPONENT

VERIFICATION:

Verified on Oath at Lahore this *day of February, 2024* that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

DEPONENT

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MST. AA

Lahore.

Plaintiff

VERSUS

MU

Lahore.

Defendant

SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA.

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant on 2020 according to Muslim Rites and Sunnah. Copy of Nikkah Nama is attached for kind perusal.
- 2- That out of this wedlock no progeny born.
- 3- That at the time of marriage the parents of the plaintiff gave precious dowry articles to the plaintiff, which are in the possession of the defendant. It is pertinent to mention here that plaintiff keeps right to file a separate suit of recovery of maintenance allowance, gold ornaments and dowry articles.
- 4- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff as maintenance allowance from the very first day of marriage.

- 5- That the defendant is cruel temperament person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 6- That a week ago, the defendant after giving her severs beating, and snatching all her belongings, including the gold ornaments, the defendant ousted the plaintiff from his house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address with her parents.
- 7- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.
- 8- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.

- 9- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house and finally when the defendant flatly refused to listen the request of the plaintiff and the same is still continue.
- 10- That the parties to the suit are residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.
- 11- That the prescribed court fee has been affixed on the plaint.

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

VERIFICATION:

Verified on Oath at this day of February, 2024 that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS OF JUDGE
FAMILY COURT, LAHORE.
(Model Town Courts, Lahore)

1. ***Mst. AS, Lahore.***
2. ***ZA date of birth 2022 daughter of MA
(Minor through real mother plaintiff No.1)***

Plaintiffs

V E R S U S

MA s District Vehari.

Defendant

SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE .

Respectfully Sheweth:-

1. That tersely the facts necessitating for the filing of instant Family Suit are that the plaintiff No.1 married to the defendant on 2020 in accordance with the Muslim Rites.
2. That out of this wedlock plaintiff No.2 was born, who is residing with the plaintiff No.1 and the plaintiff No.1 is enduring all the expenses of feed, cloths, medication etc. The minor was born in the parental house of plaintiff No.1.
3. That after marriage for some time relations between the parties remained cordial but later on the defendant changed his attitude and started quarrel with the plaintiff No.1 on petty household matters and also started to beat and maltreat the plaintiff No.1 and made her life miserable.
4. That on 2024, the defendant deserted the plaintiff No.1 from his house in three wearing clothes after snatching the dowry articles and golden ornaments belonging to the plaintiff No.1 and since then the plaintiff No.1 is residing in the house of her parents.
5. That during this whole period of desertion, the defendant did not bother to visit the parental house of the plaintiff No.1 to see the plaintiffs and did not pay a single penny to the plaintiffs as maintenance, as under the law it is the duty and obligation of the defendant to maintain the plaintiffs.

6. That the defendant is man of means and he is earning a handsome and attractive amount more than Rs.100,000/- per month, but he ignored his obligations and avoided to maintain the plaintiffs. It is the legal right of plaintiffs to demand the maintenance at the rate of Rs.25,000/- per month each with 10% increase annually in future from the defendant.
7. That the plaintiff No.1 numerously approached the defendant and requested him to pay the maintenance allowance at the above said rate but the defendant refused to accept the lawful and genuine request of the plaintiff No.1.
8. That the cause of action arose in favour of the plaintiffs and against the defendant firstly when the defendant kicked out the plaintiff No.1 from his house and lastly when the defendant refused to pay the maintenance to the plaintiffs Rs.25,000/- per month each and the same is still continuing.
9. That the plaintiffs are residing at Lahore and the cause of action also accrued at Lahore, hence this Hon'able Court has got the jurisdiction to adjudicate the matter.
10. That the requisite court fee has been affixed upon the plaint.

PRAYER:

In view of the above submissions, it is therefore, most respectfully prayed that a decree for recovery of maintenance

allowance @ Rs.25,000/- per month (each plaintiff) may very kindly be passed in favour of the plaintiffs against the defendant with 10% increase annually to meet the ends of justice.

It is further prayed that a decree for the past maintenance allowance @ Rs.25,000/- per month from desertion to upto now may kindly be passed in favour of the plaintiffs and against the defendant.

It is further prayed that the defendant may kindly be directed to pay Rs.25,000/- per month to each plaintiff, as an interim maintenance allowance till the final disposal of the main suit.

Any other relief which this Hon'able Court deems fit and proper may also kindly be awarded.

Plaintiffs
Through

VERIFICATION:

Verified on Oath at Lahore, this day of February, 2024 that the contents of the above plaint from Paras 1 to 7 are true and correct to the best of my knowledge and rest of the Paras 8 to 10 are correct to the best of my information and belief.

Plaintiffs

IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS OF JUDGE
FAMILY COURT, LAHORE.
(Model Town Courts, Lahore)

In re:

Mst. AS etc. Vs. MA
(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT, 1964 FOR THE
GRANT OF INTERIM MAINTENANCE ALLOWANCE.

Respectfully Sheweth:-

1. That the petitioners have filed the above titled suit in this Honourable Court in which no date of hearing has yet been fixed.
2. That the contents of the suit may kindly be read as an integral part and parcel of this application.
3. That petitioners have a good *prima facie* case in his favour and the suit is likely to be succeeded.
4. That the balance of convenience lies in favour of the petitioners and against the respondent.
5. That if the interim relief as prayed for is not granted, the petitioners shall suffer irreparable loss and injury.

Under the above circumstances it is, therefore, most respectfully prayed that the respondent may kindly be directed to pay interim maintenance allowance @ Rs.25,000/- per month to the each petitioner till the final decision of the suit.

Petitioners
Through

IN THE COURT OF SENIOR GUARDIAN JUDGE, WITH THE POWERS OF JUDGE
FAMILY COURT, LAHORE.
(Model Town Courts, Lahore.)

In re:

Mst. AS etc. Vs. MA
(SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE)

APPLICATION UNDER SECTION 17-A OF FAMILY COURTS ACT, 1964 FOR THE
GRANT OF INTERIM MAINTENANCE ALLOWANCE.

AFFIDAVIT OF: *Mst. AS, Lahore.*

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying *Application* are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this *day of February, 2024* that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

Deponent

IN THE COURT OF GUARDIAN JUDGE LAHORE.

Petition No. _____ /2024

AL , resident of , Lahore.

Petitioner

V E R S U S

Mst. SB Lahore.

Respondent

PETITION UNDER SECTION 25&7 OF GUARDIAN & WARDS ACT, 1890 FOR THE PERMANENT CUSTODY OF MINORS (1) AA (SON) DATE OF BIRTH 2019 (2) SHB (CHILD) (DAUGHTER) DATE OF BIRTH 2021.

Respectfully Sheweth:-

1. That the brief facts of the case are that the petitioner married to respondent on 13.10.2012 according to Muslim Rites and out of this lawful wedlock minors namely **(1) AA (SON) DATE OF BIRTH 2019 (2) SHB (CHILD)**

(DAUGHTER) DATE OF BIRTH .2021 were born, who are in custody of petitioner.

2. That the relations between the parties remained cordial for some time but after some time the relationship between the parties became strained but later on the respondent changed her attitude and left the house of the petitioner and did not come back and left the minors with the petitioner.
3. That it is pertinent to mention here that the respondent concealed the true facts from the court and filed a suit for dissolution of marriage on the basis of Khula, got ex parte decree of dissolution of marriage.
4. That the petitioner being the real father of the minors seeks the custody of the minors inter alia on the following amongst other; -

GROUND S

- a. That the respondent contracted second marriage with bad character person.

- b. That the petitioner being real father of the minors has preferential right to get the custody of the minors.
- c. That the petitioner is real father of the minors and there is no substitute of real father in this world and the minors have also great affection towards the petitioner.
- d. That atmosphere of the respondent's house is not congenial and conducive for the nourishment and brought-up of the minors.
- e. That the welfare and interests of the minors lies with the petitioner and if the custody of the minors is not remained with the petitioner, the minors ward will suffer mentally and physically.
- f. That the petitioner has better educational and health facility than the respondent and atmosphere of the house of the petitioner's parents' house is suitable for the minors.

5. That yesterday evening the respondent alongwith some gunda elements came at the house of the petitioner and forcibly tried take the minors but due to timely intervention of the respectables she failed into her nefarious designs, hence this petition.
6. That the cause of action arose when the respondent left the house of the petitioner on _____ and finally when the respondent tried to take the minors _____ and the same cause of action is still continuous.
7. That the parties are residing at Lahore, cause of action accrued at Lahore, therefore, this Hon'able Court has got jurisdiction to adjudicate upon the matter.
8. That the requisite court fee has been affixed.

PRAYER

Under the above circumstances it is, therefore, most respectfully prayed;-

- a. ***That the petitioner be appointed the guardian of the said minors.***
- b. ***The respondent may kindly be restrained from snatching the custody of the minors from the petitioner.***
- c. ***The permanent custody of minors may kindly be remained with the petitioner in the largest interest of the minors' welfare.***
- d. ***Any other relief which this Hon'able Court deems fit may also be awarded.***

Petitioner

Through

VERIFICATION

Verified on Oath at Lahore, this _____ of March, 2024 that the contents of the above petition from Paras 1 to 5 are true and correct to the best of my knowledge and rest of the Paras 6 to 8 correct to the best of my information and belief.

Petitioner

IN THE COURT OF GUARDIAN JUDGE LAHORE.

In re:

AL **Vs.** Mst. SB

(GUARDIAN PETITION)

APPLICATION FOR THE GRANT OF STAY ORDER.

Respectfully Sheweth:-

1. That the above titled petition has filed before this Hon'ble Court in which no date of hearing has been fixed as yet.
2. That the contents of the main petition may kindly be read as an integral part of the said application.
3. That the petitioner has a good source of income and is capable of providing better nourishment to the minors children.
4. That the petitioner has good *prima facie* and arguable case and there is every likelihood for his success.
5. That the balance of convenience lies in favour of the petitioner.

6. That if the respondent is not restrained from snatching the custody of the minors permanently the petitioner as well as the minors would suffer irreparable loss and injury.

It is, therefore, most respectfully prayed that the instant application may very kindly be accepted and the respondent may very kindly be restrained from snatching the custody of the minors in order to meet the fundamental principle of natural justice.

IN THE COURT OF GUARDIAN JUDGE LAHORE.

In re:

AL **Vs.** Mst. SB

(GUARDIAN PETITION)

APPLICATION FOR THE GRANT OF STAY ORDER.

AFFIDAVIT OF: AL , resident of , Lahore.

I the above named deponent do hereby solemnly affirm and declare as under:

*That the contents of accompanying "**Application**" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.*

Deponent

VERIFICATION:

Verified on Oath at Lahore this day _____ of March, 2024 which the contents of above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MST. AM

, resident of Lahore. Through her Special Power of Attorney ZKson of, Lahore.

Plaintiff

VERSUS

SAMK

, resident of Lahore.

Defendant

SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA.

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant on 2002 according to Muslim Rites and Sunnah. Copy of Marriage Registration Certificate is attached for kind perusal.

- 2- That out of this wedlock three children (1) KA (daughter) date of birth 2005, (2) AA (son) date of birth 2007, (3) AY(son) date of birth.2009 were born and they are in the custody of the plaintiff/real mother. Copy of B-Form is attached herewith for kind perusal of this Honourable Court.
- 3- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused emotional abuse, daily arguments, lack of responsibility (financial & domestic), not able to bear basic or large expenses, even medical expenses for the family, gave mental torture and insensitivity towards all relationship, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff as maintenance allowance.
- 4- That the defendant is cruel temperament person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 5- That _____, the defendant after giving her severs beating, and snatching all her belongings, including the ornaments, the defendant ousted the plaintiff from his house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address.
- 6- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.
- 7- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter

and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.

- 8- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house and finally when the defendant flatly refused to listen the request of the plaintiff and the same is still continue.
- 9- That the parties to the suit are residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.
- 10- That the prescribed court fee has been affixed on the plaint.

In view of the above submissions, it is therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of Khula may kindly be passed in favour of the plaintiff and against the defendant.

Any other relief which this Honourable Court deems fit may also be awarded.

Plaintiff

Through:

Advocate High Court

VERIFICATION:

Verified on Oath at this ____ day of March, 2024 that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest

Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

In re:

Mst. AM Vs. SAMK

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA)

AFFIDAVIT FOR NON-AVAILABILITY OF NIKKAH NAMA.

AFFIDAVIT OF: ZK Lahore.

I the above named deponent do hereby solemnly affirm and declare as under:

That the plaintiff married to the defendant, Nikkah Nama is in possession of defendant, the plaintiff is swearing this affidavit for obtaining Khula.

DEPONENT

VERIFICATION:

Verified on Oath at Lahore this ____ day of March, 2024 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

DEPONENT

IN THE COURT OF SENIOR GUARDIAN JUDGE

WITH POWER OF JUDGE FAMILY COURT, LAHORE.

MST. AK

Lahore.

Plaintiff

VERSUS

BA

District Okara.

Defendant

**SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF
KHULA.**

Respectfully Sheweth:-

- 1- That the brief facts of instant plaint are that the plaintiff married to defendant on 2020 according to Muslim Rites and Sunnah. Copy of Nikkah Nama is attached for kind perusal.
- 2- That out of this wedlock no progeny born.

- 3- That at the time of marriage the parents of the plaintiff gave precious dowry articles to the plaintiff, which are in the possession of the defendant.
- 4- That without any lawful justification, and without any fault on the part of the plaintiff, the defendant did not accept the existence of the plaintiff, in his house as his wife, and did not give her respect, rather caused maximum mental agony subjected her to physical assault, purposely so that she may be forced to leave the abode. The defendant miserably failed to provide even a single penny to the plaintiff as maintenance allowance.
- 5- That the defendant is cruel temperament person and he always treated the plaintiff with habitual cruelty, and thus made the life of the plaintiff highly miserable.
- 6- That one week ago, the defendant after giving her severs beating, and snatching all her belongings, including the ornaments, the defendant ousted the plaintiff from his house in three wearing cloths. Since then the plaintiff has been residing at the above mentioned address.
- 7- That due to above mentioned facts and circumstances, as well as the atmosphere created by the defendant, great hatred has been developed in the heart of plaintiff towards defendant and the plaintiff prefers death as compare to live with defendant, there is left no scope for the parties to lead a harmonious life in future, within the limits prescribed by Law, therefore, the plaintiff seeks dissolution of marriage on the basis of **KHULA**.
- 8- That plaintiff asked the defendant to divorce the plaintiff personally and also through respectable but the defendant firstly lingered the matter and later on flatly refused to adhere the genuine and lawful request made by the plaintiff hence this suit.

- 9- That the cause of action accrued in favour of the plaintiff and against the defendant firstly when the defendant ousted the plaintiff from his house and finally when the defendant flatly refused to listen the request of the plaintiff and the same is still continue.
- 10- That the **parties** to the suit are residing at Lahore, cause of action accrued at Lahore hence this honorable court has jurisdiction to entertain and decide the suit.
- 11- That the prescribed court fee has been affixed on the plaint.

*In view of the above submissions, it is therefore,
most respectfully prayed that a decree for dissolution
of marriage on the basis of Khula may kindly be
passed in favour of the plaintiff and against the
defendant.*

*Any other relief which this Honourable Court deems
fit may also be awarded.*

VERIFICATION:

Verified on Oath at this ____ day of April, 2024 that the contents of the Paras No.1 to 8 are true and correct to the best of my knowledge and belief and rest Paras No.9 to 11 are also correct and true to the best of my belief and information.

Plaintiff

All the witnesses shall support the averments of the plaint and version of the plaintiff.

Plaintiff

Through:

Adnan Ahmed Butt
Advocate High Court.

IN THE COURT OF MR. AHMED HAYAT, GUARDIAN JUDGE, LAHORE.

Guardian Petition No. _____ /2023

AI R/o Lahore.

Petitioner

VERSUS

Mst. FA R/o Lahore.

Respondent

GUARDIAN PETITION UNDER SECTION 25 OF THE GUARDIAN & WARDS ACT, 1890 FOR THE PERMANENT CUSTODY OF MINOR NAMELY SHAHVEER ALI DATE OF BIRTH 2021.

Birth certificate of minor and Nikah Nama etc are in custody of respondent.

RESPECTFULLY SHEWETH:-

1. That the addresses of the parties as given in the head note of this suit are correct for the purpose of their service.
2. That the brief facts of this petition are that the petitioner got married with respondent according to Muslim Rites and rituals in the month of 2020 and out of this wedlock the above minor son was born who is in the custody of the respondent.
3. That the relationship between the spouses remained cordial for some time but after that respondent started showing careless and indifferent attitude towards the petitioner and the minor. She did not have any affection to the minor and applicant. Despite the efforts of the applicant, respondent did not mend her way. It is relevant to mention here that respondent had an indifferent and non-responsible attitude towards the applicant. She has no preference for her homely assignments and for the minor. Despite all these lapses, the applicant, on his persuasion of the members of the family for the sake of his children welfare and in hope that respondent may improve her attitude, continued to live with him.
4. That the respondent without any reason leave the house of the petitioner alongwith minor and got a decree for dissolution of marriage on the basis of khula from the court of learned family Judge, Lahore. (*Copy of the decree of dissolution is attached herewith for the kind perusal of this Honourable Court.*)
5. That the respondent is a careless and ill minded lady and always paid no attention towards the minor.
6. That the minor is now in the custody of the respondent and the applicant is not being allowed to meet him.
7. That now, the applicant requests this Honourable Court to grant permanent custody of the child mentioned above on the following amongst other grounds, which shows that welfare of the minor lies with the permanent returning of the custody to the applicant.

G R O U N D S

- a. That the custody of the minor is with the respondents who cannot take care.
 - b. That in the circumstances of the present application, it is obvious that the welfare of the minor cannot be looked after well by the respondent or their family.
 - c. That the respondent cannot fulfill the basic needs of the minor and this will adversely affect the growth of the minor and will damage his future.
 - d. That the health of the minor is not good and minor do misses the petitioner.
 - e. That the applicant has a great love and affection for the minor and applicant and his family is willing for the care and proper growth of the minor.
8. That the cause of action accrued in favour of the petitioner and against the respondent firstly when the parties got married thereafter when the minor was born which is still continues.
9. That the parties to the petition are residing at Lahore, cause of action has also accrued in Lahore, that's why this Honourable Court has got jurisdiction to adjudicate upon the matter.
10. That the value of the petition for the purpose of court fee and jurisdiction is fixed at Rs. 15/-.

P R A Y E R:-

Under the circumstances, it is, therefore, most respectfully prayed that this Honourable Court may kindly be order for the permanent custody of the minor to the applicant, for the fair interest of justice.

Any other relief, which this Honorable Court deems fit, may also be granted to the petitioner.

Petitioner

Through

Advocate High Court

CERTIFICATE:

Verified on oath at Lahore on _____ day of _____ 2023 that the contents of para No.1 to 7 are true to the best of my knowledge and remaining paras No.8 to 10 are correct to the best of my belief.

Petitioner

IN THE COURT OF WORTHY GUARDIAN JUDGE, LAHORE.

In re:-

AH / Plaintiff **vs.** Public-at-large
(GUARDIAN PETITION)

APPLICATION FOR APPROVAL OF SALE DRAFT.

Respectfully Sheweth:-

1. That the above titled guardian petition was decided by this Honourable Court vide order dated 2023.
2. That later on application for permission to sell property of minor was filed which was allowed on 2023.
3. That the applicant has prepared the draft of sale deed. Copy is attached.
4. That present application is being filed for approval of draft of sale deed.

PRAYER:-

It is, therefore, respectfully prayed that draft of sale deed may very kindly be approved.

Any other relief which this Honourable Court deems fit and proper may also be awarded.

Petitioner

Advocate High Court

IN THE COURT OF WORTHY GUARDIAN JUDGE, LAHORE.

In re:-

AH / Plaintiff **VS.** Public-at-large

(GUARDIAN PETITION)

APPLICATION FOR APPROVAL OF SALE DRAFT.

AFFIDAVIT OF: AH / Plaintiff resident of Lahore.

I the above named deponent do hereby solemnly affirm and declare as under:

That the contents of accompanying "Application" are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

Deponent

VERIFICATION:

Verified on Oath at Lahore this day of January, 2024 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed.

Deponent

IN THE COURT OF SENIOR CIVIL JUDGE/JUDGE FAMILY COURT LAHORE.

Family Suit No. _____ /2019.

Mst. IA W/o SMA, Lahore.

PLAINTIFF

Versus

SMA resident of Lahore.

Defendant

SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA.

Respectfully Sheweth:-

1. That the plaintiff was married with the defendant according to Islamic Rites on 2006, in consideration of dower amount of Rs. 25,000. Copy of the Nikkah Nama is attached as **ANNEXURE-A**.

2. That from this wedlock a son, namely MA was born on 2009. After a few years cordial relations became strained and the plaintiff was struck out of the house by the defendant in wearing apparels. While ousting the plaintiff, the defendant kept the minor son Muhammad Ahmad with him illegally and unlawfully.

3. That after being ousted from defendant's house, the plaintiff approached her parents and started living with them. The parents of the plaintiff tried to

approach the defendant to strengthen the tie between the spouses but defendant remained adamant not to take the plaintiff with him. Evenly the family members of the defendant also adopted abusive behavior and also threatened the plaintiff causing her harassment.

4. That It is important to mention at this juncture that during the period, the plaintiff was residing with the defendant, defendant's elder brother used to torture the plaintiff illegally and unethically and without any legal justification which the defendant failed to protect the plaintiff from misbehavior of his family members which the defendant was legally, morally and socially bound to do so.

5. That despite the attitude of the defendant, the elders of the plaintiff put all efforts to get the matter reconciled through arbitration but the defendant instead of participating in the reconciliation, extended threats of dire consequences to the elders of the plaintiff as well as the plaintiff.

6. That now the plaintiff has developed so much of hatred for the defendant out of his attitude and behavior towards the plaintiff that it has become impossible to live with him according to the norms of Sharia.

7. That the cause of action arose in favour of plaintiff and against the defendant on 2006 when plaintiff was married with the defendant, Secondly when she was ousted by defendant from his house, Thirdly when efforts of reconciliation failed due to stubborn attitude of the defendant and finally when the defendant instead of joining the plaintiff started extending threats of dire consequences to the plaintiff, which continues to accrue daily to the plaintiff.

8. That the parties to the suit are residents of Lahore, the cause of action also arose at Lahore, therefore, this learned court has got the jurisdiction to try the instant suit.

9. That the prescribed court fee is affixed on the plaint.

PRAYER

It is, therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of khula may kindly be passed in favour of plaintiff and against the defendant.

PLAINTIFF

Through

Counsel

VERIFICATION

Verified on oath at Lahore on January, 2019 that contents of above plaint from Para 1 to 7 are true and correct to the best of my knowledge and those of Para 8 to 10 are correct and true to the best of belief.

Plaintiff

IN THE COURT OF SENIOR CIVIL JUDGE/JUDGE FAMILY COURT LAHORE.

IN THE COURT OF SENIOR CIVIL JUDGE/JUDGE FAMILY COURT LAHORE

Family Suit No. _____ /2016

Mst. NJ R/o Lahore.

Plaintiff

Versus

GM R/o C District Sahiwal.

Defendant

Suit for recovery of dowry articles valuing Rs. 11,57,350/-, dowry amount Rs. 500/- as well as past maintenance @ Rs. 20,000/month till the effectiveness of Talaq

Respectfully Sheweth:-

1. That the plaintiff was married with the defendant according to Islamic rites on .2008 in consideration of dower amount of Rs. 500/-. A copy of nikah nama is enclosed as **Annexure “A”**.
2. That the plaintiff and defendant are first cousins inter se.
3. That after six months of marriage, defendant started treating the plaintiff with cruelty and kicked out the plaintiff from his house. The plaintiff had to take shelter in the house of her mother. The defendant then got married with another woman and from the said wedlock, defendant had

**IN THE COURT OF SENIOR CIVIL JUDGE WITH THE POWER OF JUDGE
FAMILY COURT, LAHORE**

Family Suit No. /2010

1. Mst. RB R/o District Narowal.
2. AJ D/o MJ.
Present address Lahore

Plaintiffs

Versus

MJ R/o District Narowal.

Defendant

SUIT FOR THE RECOVERY OF MAINTENANCE ALLOWANCE.

Respectfully Sheweth: -

1. That the defendant No. 1 being real mother of plaintiff No. 2 filing the instant suit on her behalf having no adverse inference. That the above mentioned addresses of the parties are correct, complete and sufficient for the purpose of proper serving the notices/summons etc.
2. That the plaintiff No. 1 was got married to the defendant according to Muslim rites on 2006 against Dower one tola gold talai amounting Rs.10, 000/- of that time. (Copy of the Nikahnama is attached herewith as Annexure "A").

3. That the plaintiff No. 2 (minor) namely Aniza was born on 2008 out of this wedlock.

4. That the relationships between the parties remained cordial only for a few days hereinafter the defendant started beating and torturing the plaintiff No. 1 without any reason ultimately, the defendant kicked out/turned out the plaintiff from his house after sever beatings. Since then the plaintiff No. 1 is residing in her sister's home at present address. Although the plaintiff and her family members had tried to solve the matter but all attempts were in vain. It is also pertinent to mention here since then the plaintiff has deprived from her legal/shariat/moral right of maintenance up till now.

5. That it is important to mentioned here the defendant is a servant and serving in army being a soldier. Now a days his posting in Rawalpindi at present address of the defendant. That defendants monthly income was Rs.10,000/- in 200A, Rs.11,000/- in 200B, Rs.12,000/- in 200C and presently earned more them Rs.15,000/- that defendant is not providing maintenance to the plaintiff since 200A. The defendant also failed to provide maintenance to his daughter since her birth and expenses.

6. That the defendant is legally bound to provide maintenance allowance to the petitioner's w.e.f .200A when he turned out plaintiff at Marcy of circumstances. So the defendant can easily pay Rs. 5000/- per month and Rs. 3000/- to the plaintiff No. 1 and 2 per month.

7. That the cause of action firstly arose in favor of the plaintiff and against the defendant on 2006 when the marriage was solemnized between the parties. Secondly lastly on 2007 when the defendant stopped to pay any maintenance allowance to the plaintiff, which is still continue.

8. That the cause of action arose at Narowal as well as Lahore. The plaintiffs also reside in Lahore. Hence this learned court has jurisdiction to adjudicate this matter.

9. That the prescribed court fee has been affixed on the plaint.

PRAYER

Under the aforementioned circumstances, it is most respectfully prayed that a decree for the recovery of maintenance allowance may kindly be passed in favor of the plaintiffs and against the defendant to the following effect: -

1. To pay the maintenance allowance w.e.f. 2007 to 2010 at Rs. 5000/- per month to the plaintiff No. 1 as her past maintenance and Rs. 5000/- per month in future and to pay Rs. 3000/- per month to the plaintiff No. 2 (minor) w.e.f. 2008 and also future maintenance of the same rate along with Rs. 5000/- birth expenses of the minor.

2. It is further prayer that tentative maintenance allowance of the plaintiff's may kindly be fixed and the defendant be directed to pay the maintenance allowance to the plaintiff's regularly.

3. Any other relief deems fit and proper according to the circumstance of the case may also be awarded to the plaintiff.

Plaintiff

Through

VERIFICATION

Verified on oath dated 2010 at Lahore that the contents of para No. 1 to 6 are true to the best of knowledge and contents of para No. 7 to 9 are correct to the best of my knowledge and belief.

Plaintiff

IN THE COURT OF SENIOR CIVIL JUDGE/JUDGE FAMILY COURT, LAHORE.

Family Suit No. _____ /2021

Mst. AR R/o Lahore.

PLAINTIFF

Versus

IM R/o Lahore.

DEFENDANT

SUIT FOR DISSOLUTION OF MARRIAGE

Respectfully Sheweth:-

1. That the plaintiff was married with the defendant according to Islamic Rites on 2021.
2. That after the marriage, plaintiff started living with defendant. In the beginning, the conduct of defendant was normal but after about one week, the defendant started treating the plaintiff with cruelty.
3. That defendant is a person of evil nature, having relations with notorious women and keeps bad society and also forced the plaintiff to indulge in immoral activities and on her refusal, used to beat her, even at one point of time, attempted to kill her.
4. That the plaintiff when protested against the immoral activities of defendant and demanded her maintenance, defendant instead kicked her out of his house. The plaintiff had to take shelter at her parent's house.
5. That on account of the cruel conduct of defendant, the plaintiff has developed extreme hatred against the defendant and cannot live with him within the bounds prescribed by Allah Almighty.

6. That all efforts for bringing about reconciliation have failed. The plaintiff seeks dissolution of her marriage on the ground of "Khula".

7. That the cause of action arose in favour of plaintiff and against the defendant 2021 when the Nikkah of the plaintiff was solemnized the defendant, secondly a week after the marriage, when the defendant started treating the plaintiff with cruelty and finally one week ago when defendant kicked the plaintiff out of his house and she was constrained take shelter at her parent's home.

8. That the cause of action arose at Lahore, both the parties to the suit are residing in Lahore, therefore, this learned court has got the jurisdiction to try and adjudicate upon this suit.

9. That the prescribed court fee of Rs. 15/- is affixed on the plaint.

PRAYER

It is, therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of "Khula" may kindly be passed in favour of the plaintiff and against the defendant in the interest of justice.

PLAINTIFF

Through

VERIFICATION

Verified on oath at Lahore on August, 2021 that contents of Para No. 1 to 6 of the plaint are correct to the best of my knowledge and the remaining Para No. 7 to 9 are correct to the best of my belief and nothing has been kept concealed therefrom.

PLAINTIFF

IN THE COURT OF SENIOR CIVIL JUDGE/JUDGE FAMILY COURT, LAHORE.

Family Suit No. _____ /2021

Mst. AR Versus IM.

SUIT FOR DISSOLUTION OF MARRIAGE

Plaintiff
Through;

COUNSEL

IN THE COURT OF SENIOR CIVIL JUDGE WITH THE POWERS OF JUDGE
FAMILY COURT, LAHORE

SUIT No. /2012

HA / Plaintiff D/o AUR R/o Lahore

Plaintiff

Versus

AH / Defendant Lahore

Defendant

SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE AND DOWRY ARTICLES

Respectfully Sheweth: -

1. That the Nikah of plaintiff was solemnized with defendant according to Islamic rites on 2011. Dower was fixed at 1 Tola Gold. However, Rukhsati took place on 2011.

Original I.D. Card of plaintiff in the custody of defendant. A copy of Nikah Nama is enclosed as **Annexure "A"**.

2. That at the time of Rukhsati valuable dowry articles were given to the plaintiff by her parents including gold ornaments weighing 16.304 Tolas out of which 1 Tola is mentioned in the Nikah Nama. A list of dowry articles is enclosed as **Annexure "B"**.

3. That the defendant is a government employee and is also dealing with property business as part time job. The defendant has never provided any maintenance to the plaintiff. It is important to mention here that there is an acute mental disparity between the spouses.

4. That a few months after the marriage the conduct of defendant towards plaintiff became cruel and he used to beat the plaintiff on petty matters. Defendant kicked out plaintiff from his house many a times but on each occasion, on indulgence of her elders, plaintiff compromised with the defendant and went back to defendant's house.

5. That on 2012 the defendant gave severe beating to plaintiff on some petty issue and kicked out the plaintiff from his house in three clothes. The plaintiff was constrained to take shelter at her parent's home. The defendant did not allow the plaintiff to take her belongings with her. The valuable dowry articles including 16 Tolas

304 mg gold ornaments are lying in possession of defendant since then. It is pertinent to mention here that plaintiff is pregnant for the last 7 months.

6. That the defendant has neither paid dower amount to the plaintiff nor has returned the dowry articles nor has provided maintenance to the plaintiff till today.

7. That as submitted above the defendant is government employee and is also dealing him some property business as part time job. The defendant and earns approximately Rs. 60,000/- to Rs. 80,000/- per month. It is pertinent to mention here that the defendant has CAR bearing registration No.

8. That the plaintiff is entitled to the maintenance @ of Rs. 20,000/- per month. Defendant can conveniently provide maintenance to the plaintiff at the rate as indicated above.

9. That the plaintiff has repeatedly requested the defendant to pay the dower amount to her and to provide maintenance for herself and also to return dowry articles to plaintiff but to no effect.

10. That the cause of action arose firstly on 2011 when plaintiff was married with the defendant, secondly on .2012 when the defendant kicked out the plaintiff from his

house and finally on 2012 when the defendant flatly refused to pay the dower amount, to return dowry articles and to provide maintenance to the plaintiff despite demand.

11. That the plaintiff is residing at Lahore hence this learned court has got the jurisdiction to adjudicate upon the matter.

12. That the prescribed court fee is affixed on the plaint.

PRAYER

It is, therefore, most respectfully prayed that the suit may kindly be decreed in favour of plaintiff and against the defendant with the following directions:

- i) Directing the defendant to provide maintenance to plaintiff @ 20,000/- per month w.e.f. 24.01.2012 when the plaintiff was expelled by the defendant from this house till today and also the future maintenance at the same rate with 15% increase per year.
- ii) Defendant may kindly be directed to return dowry articles mentioned

Annexure "B"

In the alternative

The defendant may kindly be ordered to pay Rs. _____ which is the market value price of the dowry articles to the plaintiff.

iii) Any other relief which may be deemed proper under the circumstances of the case may also be granted.

Plaintiff

Through

VERIFICATION

Verified on oath at Lahore on this May, 2012 that the contents of paras 01 to 09 are correct and true to the best of my knowledge and belief and those of paras 10 to 12 are believed to be true on information received.

Plaintiff

IN THE COURT OF LEARNED SENIOR CIVIL JUDGE WITH POWERS OF JUDGE
FAMILY COURT, LAHORE

In re:-

Mst. HA / Plaintiff Versus AH / Defendant

(Suit for recovery of maintenance and dowry articles)

counsel

IN THE COURT OF SENIOR CIVIL JUDGE/JUDGE FAMILY COURT LAHORE

Family Suit No. /2017

Mst. BEA R/o Lahore.

Plaintiff

Versus

TI R/o District Chakwal.

Defendant

SUIT FOR DISSOLUTION OF MARRIAGE

Respectfully Sheweth:-

1. That the plaintiff was married with the defendant according to Islamic Rites on 2013.
2. That after the marriage, the plaintiff started living with the defendant. In the beginning, the conduct of defendant was normal but after about two years, the defendant started treating the plaintiff with cruelty.
3. That the defendant is person of evil nature, has relation with notorious women and keeps bad society and also forced the plaintiff to indulge in immoral

activities and on her refusal to indulge in such activities, used to beat her and at one point of time, tried to kill her.

4. That later on, the plaintiff when protested upon the immoral activities of defendant and demanded maintenance, the defendant kicked her out of his house. The plaintiff had to take shelter at the house of her father.

5. That on account of the cruel conduct of defendant, the plaintiff has developed extreme hatred against the defendant and cannot live with him within the bounds prescribed by Allah Almighty.

6. That all efforts for bringing about reconciliation have failed. The plaintiff seeks dissolution of her marriage on the ground of "Khula" and is ready to forgive her right to recover dower amount from the defendant.

7. That the cause of action arose in favour of plaintiff and against the defendant 2013 when plaintiff was married with the defendant and finally two years ago when defendant kicked the plaintiff out of his house and she was constrained take shelter at the home of her father.

8. That the cause of action arose at Lahore, therefore, this learned court has got the jurisdiction to try this suit.

9. That the prescribed court fee is affixed on the plaint.

PRAYER

It is, therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of "Khula" may kindly be passed in favour of the plaintiff and against the defendant in the interest of justice.

Plaintiff

Through

Counsel

VERIFICATION

Verified on oath at Lahore on _____ of October, 2017 that contents of above plaint are true and correct.

Plaintiff

IN THE COURT OF SENIOR CIVIL JUDGE/JUDGE FAMILY COURT, LAHORE.

Family Suit No. _____ /2022

IJ R/o ,Lahore.

PLAINTIFF

Versus

AH R/O Okara.

DEFENDANT

SUIT FOR DISSOLUTION OF MARRIAGE

Respectfully Sheweth:-

1. That the plaintiff was married with the defendant according to Islamic Rites on 2015.
2. That after the marriage, plaintiff started living with defendant. In the beginning, the conduct of defendant was normal but after about one year, the defendant started treating the plaintiff with cruelty.
3. That defendant is a person of evil nature, having relations with notorious women and keeps bad society and also forced the plaintiff to indulge in immoral activities and on her refusal, used to beat her, even at one point of time, attempted to kill her.
4. That the plaintiff when protested against the immoral activities of defendant and demanded her maintenance, defendant instead kicked her out of his house. The plaintiff had to take shelter at her parent's house.
5. That on account of the cruel conduct of defendant, the plaintiff has developed extreme hatred against the defendant and cannot live with him within the bounds prescribed by Allah Almighty.

6. That all efforts for bringing about reconciliation have failed. The plaintiff seeks dissolution of her marriage on the ground of "Khula".

7. That the cause of action arose in favour of plaintiff and against the defendant2015 when the Nikkah of the plaintiff was solemnized the defendant, secondly one year after the marriage, when the defendant started treating the plaintiff with cruelty and finally one week ago when defendant kicked the plaintiff out of his house and she was constrained take shelter at her parent's home.

8. That the cause of action arose at Lahore, therefore, this learned court has got the jurisdiction to try and adjudicate upon this suit.

9. That the prescribed court fee of Rs. 15/- is affixed on the plaint.

PRAYER

It is, therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of "Khula" may kindly be passed in favour of the plaintiff and against the defendant in the interest of justice.

PLAINTIFF

Through

VERIFICATION

Verified on oath at Lahore on March, 2022 that contents of Para No. 1 to 6 of the plaint are correct to the best of my knowledge and the remaining Para No. 7 to 9 are correct to the best of my belief and nothing has been kept concealed therefrom.

PLAINTIFF

IN THE COURT OF SENIOR CIVIL JUDGE/JUDGE FAMILY COURT, LAHORE.

Family Suit No. _____ /2022

IJ Versus AH

SUIT FOR DISSOLUTION OF MARRIAGE

Plaintiff
Through;

COUNSEL

IN THE COURT OF SENIOR CIVIL JUDGE/JUDGE FAMILY COURT
LAHORE.

Family Suit No. _____ /2019.

1. Mst. RS / Plaintiff Lahore.
2. MS son of AA / Defendant (Minor) through plaintiff No. 1 being her real mother.

PLAINTIFFS

Versus

AA / Defendant District Kasur.

DEFENDANT

SUIT FOR RECOVERY OF MAINTENANCE ALLOWANCE.

Respectfully Sheweth:-

1. That the plaintiff was married with the defendant according to Islamic Rites on 2015, in consideration of dower amount of Rs. 5,000 and 1-1/2 Tola Gold Ornaments. Copy of the Nikahnama is attached as **ANNEXURE-A**.
2. That from this wedlock a son, namely m was born on 2017 who is alive and living with the plaintiff. Thereafter a daughter was born out of the wedlock who died on 2018. After the death of daughter the relations between defendant and plaintiff became strained and the defendant started to quarrel with the plaintiff on petty matters. The plaintiff made all efforts to amicably resolve the issues and born the ill attitude of the defendant. Out of his inhumane attitude the defendant ousted the plaintiff out of his house in wearing apparels along with the minor son during the month of June 2018.
3. That after being ousted from defendant's house, the plaintiff approached her parents and started living with them. The parents of the plaintiff tried to approach the defendant to strengthen the tie between the spouses but defendant remained adamant not to take the plaintiff with him. Evenly the family members of the defendant also adopted abusive behavior and also threatened the plaintiff causing her harassment.

4. That the charges of birth of plaintiff No. 2 were born by the parents of the plaintiff which amounts to Rs. 50,000/- whereas, the defendant was bound to bear the same being husband and legally bound to do so.

5. That on the event of death of the minor daughter of the plaintiff No. 1 and defendant, all the expenses of burial were also born by the parents of the plaintiff which are calculated to the tune of Rs. 25,000/-. In fact, it was the defendant who was bound to bear all the expenses incurred on the birth of plaintiff No. 2 as well as the burial expenses of minor daughter but he always evaded his responsibility being husband and father of the plaintiff No. 1 & 2 respectively.

6. That the defendant being legally responsible for the maintenance of plaintiff No. 1 as his wife has failed to maintain her since the day of her desertion i.e. from the month of June 2018. Likewise he has also failed to maintain plaintiff No. 2 as father since June 2018.

7. That the defendant is a tailor and is running his shop at the address given in the caption of the suit, hence is a man of means and can easily afford to pay maintenance to the plaintiffs @ Rs. 10,000/- per month to the plaintiff No. 1 and @ Rs. 10,000/- per month to the minor son / plaintiff No. 2. The previous

defaulted amount of maintenance w.e.f 2018 to 2019 is calculated as Rs. 2,00,000/- which is still unpaid.

8. That the cause of action arose in favour of plaintiff and against the defendant on 2015 when plaintiff was married with the defendant, Secondly plaintiff No. 2 was born, Thirdly when the minor daughter was born who died afterwards, Fourthly when the plaintiffs No. 1 & 2 were ousted by defendant from his house, Fifthly when efforts of reconciliation failed due to stubborn attitude of the defendant and finally when the defendant flatly refused to join the plaintiffs and to pay the maintenance to the plaintiffs, which continues to accrue daily to the plaintiffs.

9. That the plaintiffs are residents of Lahore, the cause of action also arose at Lahore, therefore, this learned court has got the jurisdiction to try the instant suit.

10. That the prescribed court fee is affixed on the plaint.

PRAYER

It is, therefore, most respectfully prayed that a decree for recovery of maintenance allowance may kindly be passed in favour of plaintiffs No. 1 to 3 and

against the defendant @ Rs. 20,000/- per month each w.e.f. June 2018 till the final decision of the case.

It is further prayed that ad interim maintenance of the minor daughters /plaintiff No. 2 & 3 @ Rs. 10,000/- each may very kindly be ordered to be fixed in the interest of justice and equity.

PLAINTIFFS

Through

Counsel

VERIFICATION

Verified on oath at Lahore on September, 2019 that contents of above plaint from Para ... to are true and correct to the best of my knowledge and those of Para ... to ... are correct and true to the best of belief.

Counsel

IN THE COURT OF SENIOR CIVIL JUDGE/JUDGE FAMILY COURT
LAHORE.

Family Suit No. _____ /2019.

QUA / Plaintiff Lahore.

PLAINTIFF

Versus

UF / Defendant Lahore.

Defendant

SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA.

Respectfully Sheweth:-

1. That the plaintiff was married with the defendant according to Islamic Rites on 2016, in consideration of dower amount of Rs. 5,000. Copy of the Nikkah Nama is attached as ANNEXURE-A.

2. That from this wedlock a son was born who later on died. After the incident of death of the minor child, the relations of defendant with plaintiff became strained and the plaintiff was struck out of the house by the defendant in wearing apparels.

3. That after being ousted from defendant's house, the plaintiff approached her parents and started living with them. The parents of the plaintiff tried to approach the defendant to strengthen the tie between the spouses but defendant remained adamant not to take the plaintiff with him. Evenly the family members of the defendant also adopted abusive behavior and also threatened the plaintiff causing her harassment.

4. That It is important to mention at this juncture that during the period, the plaintiff was residing with the defendant, defendant's family members used to torture the plaintiff illegally and unethically and without any legal justification which the defendant failed to protect the plaintiff from misbehavior of his family members which the defendant was legally, morally and socially bound to do so.

5. That despite the attitude of the defendant, the elders of the plaintiff put all efforts to get the matter reconciled through arbitration but the defendant instead

of participating in the reconciliation, extended threats of dire consequences to the elders of the plaintiff as well as the plaintiff.

6. That now the plaintiff has developed so much of hatred for the defendant out of his attitude and behavior towards the plaintiff that it has become impossible to live with him according to the norms of Sharia.

7. That the cause of action arose in favour of plaintiff and against the defendant on 2016 when plaintiff was married with the defendant, Secondly when minor child died, Thirdly when the plaintiff was ousted by defendant from his house, Fourthly when efforts of reconciliation failed due to stubborn attitude of the defendant and finally when the defendant instead of joining the plaintiff started extending threats of dire consequences to the plaintiff, which continues to accrue daily to the plaintiff.

8. That the parties to the suit are residents of Lahore, the cause of action also arose at Lahore, therefore, this learned court has got the jurisdiction to try the instant suit.

9. That the prescribed court fee is affixed on the plaint.

PRAYER

It is, therefore, most respectfully prayed that a decree for dissolution of marriage on the basis of khula may kindly be passed in favour of plaintiff and against the defendant.

PLAINTIFF

Through

Counsel

VERIFICATION

Verified on oath at Lahore on March, 2019 that contents of above plaint from Para 1 to 6 are true and correct to the best of my knowledge and those of Para 7 to 9 are correct and true to the best of belief.

Plaintiff

IN THE COURT OF SENIOR CIVIL JUDGE/JUDGE FAMILY COURT
LAHORE.

Family Suit No. _____ /2019

In Re;

QUA / Plaintiff. Versus UF / Defendant.

(SUIT FOR DISSOLUTION OF MARRIAGE ON THE BASIS OF KHULA)

List of witnesses on behalf of the plaintiff

- 1.

- 2.

3. Plaintiff herself as witness.

The said witnesses will be supported the version of the plaintiff.

Plaintiff

Through

Counsel

IN THE COURT OF LEARNED GUARDIAN JUDGE, LAHORE

Mst. H.J. / Plaintiff D/o M.J. R/o Lahore.

Petitioner

Versus

F.H. / Defendant R/o Lahore.
Respondent

PETITION FOR APPOINTMENT OF GUARDIAN OF MINOR, NAMELY, M.B.F. / Child

Respectfully Sheweth:

1. That the petitioner was married to the respondent according to Islamic rites in 2006. A copy of the Nikah Nama is enclosed as Annexure "A".
2. That from this wedlock a son, namely, M.B.F. / Child was born in 2010. A copy of the birth certificate of M.B.F. / Child is enclosed as Annexure "C".
3. That the respondent is a real estate adviser/property dealer but has never provided any maintenance to the petitioner since the marriage. A few months after the marriage, the respondent's behavior towards the petitioner became cruel, and he used to beat the petitioner over petty matters. The respondent kicked the petitioner out of his house many times, and on each occasion, the petitioner had to take shelter at her parents' house. However, on the indulgence of her elders, the petitioner had to compromise with the respondent.
4. That as mentioned above, the petitioner was thrown out of the respondent's house many times, and on one such occasion in 2010, when the petitioner was residing at her parents' house, the minor M.B.F. / Child was born. All delivery expenses were incurred by the petitioner's parents. The respondent did not spend even a penny at the time of the minor's birth. A copy of the birth certificate of M.B.F. / Child is enclosed as Annexure "B".
5. That in 2011, the respondent severely beat the petitioner over a petty issue and kicked her out of his house with only three clothes. The petitioner was forced to take shelter at her parents' home. The respondent did not allow the petitioner to take her belongings with her. The valuable articles, including 32 tolas of dowry articles, are still in the possession of the respondent.
6. That the defendant has neither returned the dowry articles nor provided maintenance to the plaintiff to date.
7. That the petitioner has demanded her valuable dowry articles from the respondent. In response, the respondent became angry and threatened to forcibly take custody of the minor from the petitioner, hence this petition.
8. That the minor M.B.F. / Child is just one year old and needs love, affection, and motherly care for healthy upbringing. The respondent has never spent a penny on the welfare of the minor. The petitioner is in a position to provide proper upbringing, love, affection, and care to the minor. The welfare of the minor demands that the petitioner be appointed as the guardian of the minor M.B.F. / Child.
9. That the cause of action arose firstly in 2006 when the petitioner married the respondent, secondly in 2010 when the minor was born, and finally in 2011 when the respondent kicked the petitioner out of his house and threatened to forcibly take custody of the minor from the petitioner.

10. That the minor is residing in Lahore; hence, this learned court has the jurisdiction to adjudicate the matter.
11. That the prescribed court fee is affixed on the plaint.

PRAYER

It is, therefore, most respectfully prayed that the petitioner be accepted and the petitioner be appointed as the guardian of the minor M.B.F. / Child.

It is further prayed that the respondent be restrained from taking custody of the minor from the petitioner illegally and forcibly.

It is further prayed that any other relief deemed proper under the circumstances of the case may also be granted.

Petitioner

Through

VERIFICATION

Verified on oath at Lahore in August 2011 that the contents of paragraphs 1 to 8 are correct and true to the best of my knowledge and belief and those of paragraphs 9 to 11 are believed to be true based on information received.

Petitioner