

JUSTICE SUCCESS STORY

Recovery of dower and maintenance rights to Ms. Laiba and her daughter

Ms. Laiba, daughter of Khalid Khan, is a resident of Baldia Town, West Karachi. She was married to Zaib Haroon on 12th September 2015 according to the Muslim Sharia.

The initial stages of the marriage were pleasant and gave hope for a bright future for the couple. Ms. Laiba had been an obedient wife despite of her husband's lack of support. 3 years later, the couple was blessed with a beautiful daughter. However, Zaib's attitude took a negative shift during this time which made Laiba miserable.

One day, the couple was returning home when spontaneously, Zaib divorced Laiba on the street without any reasonable explanation. Left destitute and without any support, Ms. Laiba was inclined to seek refuge in her parent's house with her daughter. Zaib, being employed in the private sector, was earning quite well along with his additional earnings through rent from four shops. Despite this, he refused to pay back Ms. Laiba's dowry or their daughter's maintenance. In doing so, Zaib created a dire situation for Laiba and her family, as now she had to find a way to support herself and her daughter while her family struggled to provide for them.

The dower amount of 4 tola's of gold which was mentioned in their Nikkah Nama that was paid to her was later taken back some time after the marriage. Furthermore, her husband refused to give back all the gifts to Ms. Laiba which were received during the wedding.

Ms. Laiba approached the Legal Aid Society (LAS) in hopes to gain legal assistance after which she filed a case with the support of LAS' lawyers.

After recording evidence of both the parties, the court gave a decision in favor of Ms. Laiba with

the observation that every bride is entitled to receive their dower and decided that Ms. Laiba is well within her rights to recover four tola's worth of gold ornaments from her ex-husband. Additionally the court also gave the decision that all the articles which were given by her husband's side were also to be recovered because all the gifts rightfully belonged to the female.

Furthermore, the court gave a just decision in favor of Ms. Laiba and her daughter that they will recover Rs.7000 per month till the daughter is married with a 10% annual increment.

