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FROM DECREE TO DOORSTEP: THE ENFORCEMENT GAP IN MAINTENANCE LITIGATION BEFORE PAKISTAN'S FAMILY COURTS, WITH PARTICULAR REFERENCE TO SINDH

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Abstract

A decree for maintenance is only as valuable as the money it eventually places in a mother's hand. Over the past decade Pakistan's family law has grown steadily more generous on the question of entitlement: The Supreme Court now holds that a wife's right to maintenance arises from the nikah itself and not from rukhsati, that arrears of maintenance are a debt like any other, and that a child's maintenance must be fixed by reference to the child's reasonable needs and the father's real means. Yet the machinery for converting a decree into actual payment has barely moved since the West Pakistan Family Courts Act was enacted in 1964. This paper examines that enforcement gap from the vantage point of the trial court and the mediation room. It sets out the statutory framework, traces the life cycle of an unpaid decree, identifies the principal ways in which judgment debtors evade payment, and reviews recent superior court rulings that simultaneously widen the wife's entitlement and narrow the executing court's coercive options. Drawing on comparative experience from Egypt, Tunisia, Malaysia and the United Kingdom, and on Pakistan's own obligations under the Constitution, CEDAW and the Convention on the Rights of the Child, the paper argues that the next stage of family law reform must concern collection rather than entitlement. It proposes a set of practical reforms for Sindh, including mandatory interim maintenance, statutory disclosure of means, deduction at source, a legislatively authorized regime of document restrictions for persistent defaulters, mediated payment plans, and a state-backed maintenance advance fund.

1. INTRODUCTION

Consider a scene that every family judge in Karachi will recognize. A young woman sits on a wooden bench outside a family court, a child on her lap and a cloth bag of photocopies at her feet. Three years ago she won her case. The court fixed maintenance for her and for her two children, the decree survived an appeal, and the judgment was read out in her favour. Today she has come, once again, for the hearing of her execution application. She has taken a day off from the work she found after her husband stopped paying, she has paid for a rickshaw she cannot really afford, and she will probably be told that the notice to the judgment debtor has not been served, or that his counsel is engaged in another court, or that the matter has been sent to the revenue authorities and nothing has

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yet been heard from them. The decree in her bag is a valid order of a court of law. It is also, for all practical purposes, a piece of paper.

This paper begins from a simple question: what is a maintenance decree worth if it cannot be enforced? The question is not rhetorical. Pakistan's superior courts have in recent years produced some of the most progressive maintenance jurisprudence in the Muslim world. The Supreme Court has held that a wife's right to maintenance flows from a valid marriage and does not depend on rukhsati or consummation (Ambreen Akram v. Asad Ullah Khan, 2025). It has treated arrears of maintenance as a debt owed by the husband and applied the principle of a continuing wrong under section 23 of the Limitation Act 1908 (Civil Appeal No. 1413 of 2021; Canopy Forum, 2026). It has given guidance on fixing child maintenance by reference to the child's reasonable needs, the father's means and the family's social standing (Supreme Court of Pakistan, 2025). On the law of entitlement, in other words, the direction of travel is clear and welcome.

The law of enforcement tells a different story. It still rests largely on a single sub-section of the West Pakistan Family Courts Act 1964 (the "1964 Act"), which allows an unpaid money decree to be recovered as arrears of land revenue, and on a contested relationship between that Act and the general execution provisions of the Code of Civil Procedure 1908. Every gain on entitlement is therefore, in a sense, only as real as the weakest link in the enforcement chain. A judgment that declares a wife entitled to maintenance from the day of her nikah means little to a woman who cannot collect what was decreed for her from the day of her suit.

The argument of this paper is that the next stage of family law reform in Pakistan, and in Sindh in particular, should focus less on what a wife or child is owed and more on how the court collects it. The paper is written from two complementary positions: that of a trial judge who has presided over family, civil and criminal courts and has seen execution files outlive the suits that produced them, and that of an advocate and mediator who has sat with families trying to reach workable payment arrangements outside the courtroom. Both perspectives point to the same conclusion. The enforcement gap is not an accident of individual cases; it is a structural feature of the present law, and it can be closed only by deliberate legislative and administrative design.

The discussion proceeds in several stages. It first sets out the conceptual and constitutional foundations of the duty to maintain. It then examines the statutory framework, the life cycle of an unpaid decree, and the principal techniques of evasion. It reviews the recent direction of the superior courts, considers the human cost of non-enforcement, and examines the role of mediation in securing voluntary compliance. It then draws on comparative experience before setting out concrete proposals for reform.

Maintenance as Right and Duty: The Conceptual Foundations

In Islamic law, maintenance, or nafaqa, is not a gift or a favour; it is an obligation that arises from the marriage contract and from the relationship of parent and child. The Qur'an places upon the father the provision and clothing of mothers who nurse his children "according to what is acceptable" (Qur'an 2:233), and directs that a man of means should spend according to his means while one whose provision is restricted should spend from what he has been given (Qur'an 65:7). Classical jurists drew from these sources a duty that covers food, clothing and shelter, measured by the circumstances of the parties and the customs of the community. The child's right to maintenance from the father, moreover, does not depend on which parent has custody; it follows the child.

Pakistan's Constitution gives this obligation a public dimension. Article 35 commits the State to protect the marriage, the family, the mother and the child. Article 25(3) permits special provision for the protection of women and children, and Article 37(d) directs the State to ensure inexpensive and expeditious justice (Constitution of the Islamic Republic of

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Pakistan, 1973). Read together, these provisions suggest that the State's interest in maintenance does not end when a court pronounces a decree. A decree that is never satisfied represents a failure not only of a private debtor but of a constitutional promise.

The same conclusion follows from Pakistan's international commitments. Pakistan acceded to the Convention on the Elimination of All Forms of Discrimination against Women in 1996, Article 16 of which requires equal rights and responsibilities in marriage and its dissolution and the paramountcy of children's interests (United Nations, 1979). Pakistan also ratified the Convention on the Rights of the Child in 1990. Article 27(4) of that Convention obliges States parties to take all appropriate measures to secure the recovery of maintenance for the child from the parents, both within the State and from abroad (United Nations, 1989). That obligation is explicitly one of recovery, not merely of adjudication. It speaks directly to the enforcement gap with which this paper is concerned.

Framed in this way, the enforcement of maintenance is not a narrow procedural matter to be left to the ingenuity of individual decree-holders. It is the point at which religious obligation, constitutional commitment and international law all converge on a single practical question: does the money actually arrive?

The Statutory Framework

Two statutes govern the field. Section 9 of the Muslim Family Laws Ordinance 1961 ("MFLO") allows a wife, or the mother of a child, to apply to the Chairman of the Union Council, who refers the matter to an Arbitration Council. The amount the Council certifies, if unpaid, is recoverable as arrears of land revenue (Muslim Family Laws Ordinance, 1961, s. 9). In practice the Arbitration Council route has fallen largely into disuse for maintenance, and most claims are now brought directly before the Family Court, which has exclusive jurisdiction over maintenance under section 5 and Part I of the Schedule to the 1964 Act. Historically, magistrates also exercised a summary maintenance jurisdiction under section 488 of the Code of Criminal Procedure 1898, backed by the power to commit a defaulting husband to prison; for Muslim wives, however, the Family Court has become the near-exclusive forum, and the comparatively sharp coercive tools of the criminal procedure have not followed the claim into the family court.

The 1964 Act was designed for speed and informality. It requires pre-trial and post-trial attempts at reconciliation under sections 10 and 12, and section 12-A directs that a case be decided within six months. Section 17 excludes the Qanun-e-Shahadat Order 1984 and the Code of Civil Procedure 1908, save for sections 10 and 11 of the Code, so that the Family Court may regulate its own procedure. That exclusion was intended to free the court from technicality. At the enforcement stage, however, it has produced uncertainty about which of the ordinary execution powers the court actually possesses.

The Act gives the Family Court two principal enforcement tools. The first operates during the suit. Section 17-A, inserted by the Family Courts (Amendment) Ordinance 2002 (Ordinance LV of 2002), allows the court at any stage to pass an interim maintenance order payable by the fourteenth of each month, and on default empowers the court to strike off the defence and decree the suit (West Pakistan Family Courts Act, 1964, s. 17-A). No appeal or revision lies against an interim order under section 14(3), and the Sindh High Court has repeatedly declined to entertain constitutional petitions that attempt to circumvent that bar (Lashkar Ali v. Mst. Azizan Khatoon, 2023; Mst. Isbah Rashid v. Additional District Judge, Islamabad-West, 2021). Section 17-A is, in practice, the most effective lever the court possesses, precisely because it operates while the defendant still has something to lose in the litigation.

The second tool operates after the decree. Section 13(3) provides that where a money decree is not satisfied within the time fixed by the court, the amount shall, if the court so directs, be recovered as arrears of land revenue

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and paid on recovery to the decree-holder (West Pakistan Family Courts Act, 1964, s. 13(3)). Recovery as arrears of land revenue draws in the coercive processes of the land revenue law, including notices of demand, distraint and sale of movable property and attachment of land, but it also transfers the practical work of collection from the court to the revenue administration.

Whether the Family Court, as an executing court, may also use the ordinary powers of a civil executing court under section 51 and Order XXI of the Code of Civil Procedure, such as attachment of salary, attachment of bank accounts and arrest and detention in civil prison, has long been contested. An early Lahore High Court decision held that committing a maintenance debtor to civil prison was illegal because section 13(3) laid down the only mode of recovery (Nasir Khan v. Tahira Rashida, 1986). Later decisions have recognised that a Family Court executing its own decree may exercise the powers of a civil executing court (Muhammad Yousaf Zaheer v. Additional District Judge, 2024). Even where those powers are available, section 60 of the Code places limits on the portion of a salary that may be attached, which, though designed to protect debtors, can leave a maintenance decree-holder with only a fraction of a monthly award. The result is a field in which much depends on the confidence and inclination of the individual executing judge, and in which a decree-holder in one district may enjoy remedies that a decree-holder in the next does not.

Punjab's Reform and Sindh's Unfinished Agenda

Punjab has moved further than the other provinces. Its 2015 amendment substituted section 17-A to make the fixing of interim maintenance mandatory on the defendant's first appearance, to strike off the defence automatically on default, to increase decreed maintenance by ten per cent each year unless the court fixes another rate, and to empower the court to summon documents from any organization, body or authority in order to determine the defendant's resources (Punjab Family Courts (Amendment) Act, 2015). Each of these changes addresses a familiar weakness. Mandatory interim maintenance removes the temptation to defer the question until evidence is recorded. Automatic consequences for default remove room for repeated adjournment. A statutory annual increase protects the award against inflation without fresh litigation. And the power to summon documents goes to the heart of the problem of concealed income.

In Sindh, the 2002 text of section 17-A continues to apply. Sindh courts have often written annual increases into their decrees as a matter of judicial discretion, and the Sindh High Court has upheld a ten per cent annual increment as a reasonable response to inflation (Sindh High Court, Circuit Court Hyderabad, n.d.; C.P. No. S-134 of 2024). Discretion, however, is not a substitute for legislation. It produces inconsistency between courts, invites appellate challenge, and depends on the individual judge raising the point. A wife in Lahore is now entitled by statute to protections that a wife in Karachi must ask for, argue for and sometimes defend on appeal. There is no principled reason why the protection a mother receives should depend on which side of a provincial boundary she lives.

The Life Cycle of an Unpaid Decree

It helps to follow a maintenance claim through its ordinary course. The plaint is filed and summons issued. Service on the defendant may itself take several dates, particularly where he has changed address or lives with relatives who decline to accept process. On his first appearance the court should fix interim maintenance, but where the defendant contests his income, disputes the marriage or the paternity of a child, or files his own suit for restitution of conjugal rights, the interim order may be passed at a modest figure pending evidence. Payments then begin, often irregularly. Evidence is recorded, the suit is decreed, and an appeal is filed before the District Court. When the decree finally attains finality, the decree-holder files an execution

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application, and what is in substance a second round of litigation begins.

At the execution stage the judgment debtor's incentives change sharply. During the suit he had reason to appear and to comply at least partially, because default could cost him his defence. After the decree, the most rational course for an unwilling debtor is delay. He may fail to appear, contest the calculation of arrears, plead changed circumstances, claim partial payments in cash for which no receipt exists, or file a fresh suit for reduction of maintenance. If the court directs recovery as arrears of land revenue, the file moves to an office over which the court has limited practical supervision. Each step is individually lawful. Taken together, they can extend execution for years, while inflation steadily erodes whatever amount is eventually recovered.

How Decrees Go Unpaid: The Principal Techniques of Evasion

The first and most pervasive problem is the concealment of income. A large share of judgment debtors work in the informal economy, run cash businesses, are paid partly off the books, or are supported by family enterprises in which they hold no formal share. A defendant who files a statement claiming a modest wage is difficult to contradict, because the plaintiff usually has no access to his bank records, tax filings or business accounts. Outside Punjab, the 1964 Act gives the court no express power to call for such records from third parties, so the amount fixed is often a figure anchored to the defendant's own account of his means. It deserves emphasis that a knowingly false statement of means is not a costless tactic in law: a false statement made in a declaration or affidavit that a court is bound to receive as evidence may attract liability under sections 193 and 199 of the Pakistan Penal Code 1860. In practice, however, such proceedings are almost never initiated in family matters, and the deterrent is therefore largely theoretical.

The second problem is the land revenue route itself. Recovery under section 13(3) removes the decree from the court and places it within the revenue administration, where it competes with the collector's other priorities. The decree-holder must then follow up with an office she may not know how to approach, staffed by officials for whom a maintenance warrant is a small and unfamiliar item. For a woman without independent means, the cost of pursuing a monthly sum of a few thousand rupees, in transport, lost wages and time, can exceed the sum itself. A remedy designed for the recovery of public dues from landholders sits uneasily with the recovery of monthly support from an urban wage-earner who owns no land.

The third problem is the debtor abroad. A significant number of maintenance defendants live and work in the Gulf states, the United Kingdom or elsewhere. Service of process is slow, the defendant has no assets within the jurisdiction that can easily be reached, and the decree has no automatic effect in the country where he earns his income. Executing courts have tried to reach such debtors by directing NADRA to block their computerized national identity cards, a measure that affects travel documents, banking and access to public services and therefore tends to bring a debtor to the table. In July 2026 the Lahore High Court set aside such an order, holding that a family court has no legal authority to block a CNIC to enforce a maintenance decree and that the NADRA Ordinance permits a card to be cancelled or impounded only on specified grounds such as fraud or ineligibility (PR Pakistani, 2026). The Sindh High Court had earlier set aside a renewed blocking order against a surety in comparable circumstances (C.P. No. D-4187 of 2023). Whatever one's view of these rulings, they remove one of the few levers that actually worked against an overseas debtor.

The fourth problem is the counter-suit. Husbands often answer a maintenance claim with a suit for restitution of conjugal rights, not in a genuine effort to reconcile but to construct the argument that the wife has left the matrimonial home without lawful cause and has therefore forfeited her maintenance. The Islamabad High Court has criticized this tactic in strong terms, observing that section 9 of the

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Volume 4 • Issue 6 • October 2026

MFLO places no such condition on a wife's right to maintenance (The News, 2025). The judgment in Ambreen Akram now places the burden squarely on the husband to prove that the wife has unjustifiably withdrawn from the marriage, which should reduce the strategic value of the counter-suit. It does not, however, eliminate the delay that a contested counter-claim introduces.

The fifth problem is the dissipation of assets. Once a debtor anticipates an adverse decree, property may be transferred to relatives, vehicles registered in other names, and salaries routed through accounts held by third parties. Section 21-A of the 1964 Act allows the Family Court to make interim orders to preserve property in dispute, but the provision is seldom invoked in maintenance suits, partly because plaintiffs do not ask and partly because the court rarely has information about the defendant's assets at an early stage. By the time the decree is executed, there may be nothing in the debtor's own name to attach.

The sixth problem is time itself. A maintenance award fixed in one year is paid, if at all, in the currency of later years. In a period of high inflation, a decree that does not carry an annual increment loses a substantial part of its real value within a few years, and arrears recovered after a long execution represent far less than the support the court originally judged necessary. Delay is therefore not neutral. It transfers value from the child to the defaulting parent.

The Direction of the Superior Courts

Recent case law pulls in two directions. On entitlement, the movement is clearly protective. Ambreen Akram treats maintenance as an unconditional legal duty arising from the nikah, rejects rukhsati as a legal precondition, and requires compelling proof before a husband is excused (PR Pakistani, 2025). The limitation ruling in Civil Appeal No. 1413 of 2021 means that a wife who delays suing is not thereby stripped of past maintenance (Canopy Forum, 2026). The Supreme Court's 2025 guidance on child maintenance after divorce emphasizes the child's reasonable needs and the father's actual means rather than the father's own account of what he can afford. Benches of the Sindh High Court have, for their part, insisted that challenging a decree does not excuse non-payment, and have upheld annual increments in maintenance decrees as a sensible answer to inflation (C.P. No. S-134 of 2024).

On enforcement, the superior courts have been more cautious, and with some reason. The CNIC ruling rests on a sound principle: a court's coercive powers must have a legal source, and a measure that cuts a citizen off from banking, travel and public services cannot be improvised by judicial order. The same caution explains the older reluctance to use civil prison against maintenance debtors. These are legitimate due-process concerns, and a legal order that values liberty should take them seriously. The difficulty is that the legislature has not filled the gap the courts have identified. When a court holds that it lacks a power, the natural institutional response should be for the legislature to decide whether that power ought to exist and on what terms. That response has not yet come.

The result is a system that is generous in what it declares and weak in what it delivers. This is not merely a technical inconsistency. It sends a confusing signal to litigants: the law tells a wife that her right is unconditional, and then tells her, in effect, that its collection is her own affair.

The Human Cost of Non-Enforcement

Statistics on unpaid maintenance in Pakistan are scarce, and the absence of reliable data is itself part of the problem. But the human consequences are visible in any family court. Children are withdrawn from school or moved to cheaper institutions mid-year. Mothers who left abusive households return to them, or remain in them, because they cannot see how they will feed their children otherwise. Women who had never worked outside the home take up informal, insecure and poorly paid work, often while also attending court hearings that are adjourned for reasons beyond their control. Some families move in with relatives, with all the dependence and loss of autonomy that entails.

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Volume 4 • Issue 6 • October 2026

Non-enforcement also has a corrosive effect on trust in the courts. A woman who has followed every step of the legal process, appeared on every date and won her case, and who still receives nothing, draws a rational conclusion about the value of approaching the court at all. Her experience travels: to her sisters, her neighbors and the women in her community who are weighing whether a legal claim is worth the cost and stigma. In this sense the enforcement gap does not only fail the individual decree-holder. It discourages future claimants and quietly weakens the law of entitlement that the superior courts have worked to build.

There is also a gendered dimension to the burden of enforcement. The present system places the labour of collection, the follow-up, the travel, the waiting, almost entirely on the mother. The debtor who has defaulted bears comparatively little of the cost of his own default. A well-designed system would reverse that allocation, so that the burden of non-payment falls on the person who is not paying.

Mediation and the Promise of Consensual Compliance

Enforcement is often discussed as a purely coercive problem, but voluntary compliance is far cheaper for everyone. The 1964 Act already recognizes this through its pre-trial and post-trial reconciliation stages under sections 10 and 12. In practice, however, these stages are frequently treated as formalities, confined to the question of whether the marriage can be saved, rather than as an opportunity to negotiate a realistic and secure payment arrangement for the children.

Structured mediation offers a different approach. A trained mediator can help the parties separate the question of the marriage from the question of the children's support, explore the father's actual income and obligations in a less adversarial setting, and agree on a schedule that the father regards as his own commitment rather than an order imposed on him. Agreements reached in this way tend to be honored more consistently, because the payer has participated in setting the terms. The mediation process can also build in practical safeguards: direct bank transfers into the mother's account, a named guarantor or surety, a standing instruction to an employer, or a clause allowing either party to return to court for review if circumstances change.

For mediation to support enforcement rather than delay it, two conditions must be met. First, any agreement should be recorded as an order or compromise decree of the Family Court, so that it carries the full force of the court's enforcement powers if it is broken. Second, mediation must not become a device for pressuring women into accepting less than the law gives them, particularly where there is a history of domestic violence or a serious imbalance of power. Screening for such cases, and the option of proceeding directly to adjudication where they exist, is essential. With these safeguards, court-annexed mediation can become one of the most effective, and least expensive, enforcement tools available to the family justice system.

Comparative Lessons

Pakistan is not the first jurisdiction to confront the gap between maintenance decreed and maintenance paid, and several Muslim-majority and common law systems offer useful models. Egypt, as part of its family law reforms in 2000 and 2004, entrusted the payment of court-ordered maintenance to a state-backed mechanism. Under Law No. 11 of 2004, a Family Insurance Fund was established to pay maintenance awarded by the courts where the debtor defaults, with the Fund then entitled to recover the amount from the debtor (Law No. 11 of 2004, Egypt). Tunisia established a Maintenance and Divorce Annuity Guarantee Fund in 1993, which pays maintenance and divorce annuities to divorced women and their children when the debtor fails to pay and then pursues the debtor for reimbursement (Law No. 93-65 of 1993, Tunisia). Malaysia created a Family Support Division within its Department of Syariah Judiciary in 2008, which assists women in enforcing maintenance orders and can advance payments in appropriate cases

JOURNAL FOR SOCIAL SCIENCE STUDIES
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Volume 4 • Issue 6 • October 2026

(Department of Syariah Judiciary Malaysia, n.d.).

The common feature of these schemes is a simple but powerful shift: the State, rather than the mother, becomes the party that pursues the defaulting debtor. The mother receives regular support; the debt is transferred to an institution that has the administrative capacity, information and patience to recover it. In the United Kingdom, the Child Maintenance Service illustrates a different but related principle, namely that maintenance can be collected at source through deduction from earnings orders addressed directly to employers, and enforced through a range of administrative measures without repeated recourse to court (Child Support Act, 1991).

At the international level, the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance provides a framework of central authorities, standardized forms and the recognition and enforcement of maintenance decisions across borders (Hague Conference on Private International Law, 2007). Pakistan is not a party. Given the number of maintenance debtors who work abroad, accession, or at a minimum bilateral arrangement with the principal labour-receiving states in the Gulf, would directly address the problem of the debtor beyond the court's reach.

None of these models can be transplanted without adaptation. A maintenance fund requires a reliable financial base and effective recovery machinery; an attachment-of-earnings regime works best where employment is formal and documented. But the comparative experience shows that the enforcement gap is neither unique to Pakistan nor beyond solution. It is a problem of institutional design.

Reform Proposals for Sindh

The first and simplest reform is for Sindh to adopt the substance of Punjab's 2015 amendment. Making interim maintenance mandatory on the defendant's first appearance, building a default annual increase into every decree, attaching automatic consequences to default, and giving the court an express power to summon salary slips, bank statements, tax returns and employment records from third parties would close much of the gap described above at almost no cost to the exchequer. These measures are already familiar to Pakistani courts and have been tested in practice in the neighboring province.

Second, the 1964 Act should list the enforcement measures available to an executing Family Court rather than leaving them to inference. That list should include a standing order directing an employer to deduct maintenance at source and remit it directly to the decree-holder's account, the attachment of bank accounts, the attachment of salary notwithstanding the general limits in section 60 of the Code of Civil Procedure to the extent the legislature considers appropriate for maintenance, and recovery through the land revenue route as a fallback rather than the primary remedy. Where the debtor is a government servant, a direction to the drawing and disbursing officer already works well in practice and deserves statutory recognition. A clear statutory list would remove inconsistency between courts and spare decree-holders the cost of litigating the executing court's powers.

Third, the Act should require a sworn statement of means from every defendant in a maintenance suit, in a prescribed form covering income, assets, bank accounts, business interests and overseas employment. The form should warn the deponent in plain terms that a false statement may expose him to prosecution under sections 193 and 199 of the Pakistan Penal Code. Courts should be encouraged, in clear cases, to refer deliberate concealment for prosecution. A single well-publicized prosecution in each district would likely do more for honest disclosure than any number of judicial exhortations.

Fourth, the legislature should answer the question the Lahore High Court has posed. If restrictions on identity documents, passports or travel are to be used against persistent defaulters, they should be authorized by statute, limited to defined thresholds of arrears, subject to notice and a hearing, and lifted promptly on payment or on the furnishing of adequate security. Such a regime would respect the due-

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Volume 4 • Issue 6 • October 2026

process concern behind the CNIC ruling while restoring an effective lever against debtors abroad. Similar provisions exist in a number of jurisdictions, and their legitimacy derives precisely from their being legislated rather than improvised.

Fifth, Sindh should establish a maintenance advance fund along the lines of the Egyptian and Tunisian models. The fund would pay the decreed amount, or a capped portion of it, to the decree-holder, and the debtor's liability would be transferred to the fund for recovery through the revenue machinery and any other powers the statute confers. The fund could begin on a pilot basis in Karachi and Hyderabad, with a cap on the monthly advance and priority for child maintenance, and could be financed in part through recoveries, court fees and provincial allocation. Its greatest value would be to relieve mothers of the burden of chasing the debtor, a burden that, as argued above, the law currently places on the wrong person.

Sixth, payment and record-keeping should be digitized. Interim and final maintenance should, wherever possible, be paid directly into the decree-holder's bank or mobile wallet account rather than deposited in court in cash, so that every payment leaves a verifiable record and disputes about cash payments disappear. Execution files should carry a standard arrears statement updated at each hearing. These are modest administrative changes, but they would reduce adjournments, simplify calculation and make default immediately visible.

Seventh, court-annexed mediation should be integrated into maintenance proceedings, with trained mediators, screening for domestic violence, and the requirement that any agreement be recorded as an enforceable order. Mediated payment plans that include direct transfers and named sureties should be actively encouraged as the first stage of execution as well as of the suit.

Eighth, Pakistan should examine accession to the Hague Convention of 2007 and, in the meantime, pursue arrangements with the principal Gulf states for the service of process on, and recovery of maintenance from, Pakistani workers abroad. Overseas employment registration and remittance channels offer practical points at which maintenance obligations could be identified and, with appropriate legal authority, secured.

Finally, judicial training should treat enforcement as a core part of family court practice rather than an afterthought. Judges and court staff should be trained in the full range of available enforcement measures, in the early use of section 17-A and section 21-A, and in managing execution files to a timetable. Execution applications in maintenance matters should, like the suits themselves, be subject to a statutory time limit for disposal.

Conclusion

This paper has argued that Pakistan's maintenance law has developed unevenly. The law of entitlement has advanced considerably: a wife's right now arises from the nikah, arrears are recognised as a debt, and child maintenance is measured by need and means. The law of enforcement, by contrast, remains anchored in a 1964 provision that routes unpaid decrees to the revenue administration and in an unresolved relationship with the general law of execution. The superior courts, quite properly, have declined to invent coercive powers that the legislature has not conferred. The legislature, however, has not yet supplied the powers that the system needs.

The consequences of that gap are borne by those least able to bear them. Mothers spend years pursuing sums that may be modest in absolute terms but are essential to their children's schooling, health and security. Decrees lose their value to delay and inflation. Debtors learn that default is often cheaper than compliance. And confidence in the courts, which depends on the sense that a judgment means what it says, is quietly eroded.

None of the reforms proposed here is radical. Most are already in force in Punjab or in comparable jurisdictions, and several require little more than legislative clarity and administrative will. Mandatory interim maintenance, statutory disclosure of means, deduction at source, a legislated regime of

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Volume 4 • Issue 6 • October 2026

document restrictions, mediated payment plans, digital payment records and a state-backed advance fund would together transform the position of the decree-holder in Sindh.

Until that legislative work is done, the most valuable thing a family judge can do is to use the tools that already exist firmly and early: to fix interim maintenance at the first appearance under section 17-A, to enforce it without indulgence, to preserve assets under section 21-A where there is a real risk of dissipation, and to insist on honest disclosure of means. The interim stage is often the only point at which the court still holds real leverage over an unwilling defendant. The superior courts have done their part in settling what a wife and child are owed. What remains is to make sure that what the law declares in the courtroom actually reaches the doorstep.

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Volume 4 • Issue 6 • October 2026

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