

In the name of Allah, the Merciful

General Court of Rabek

Number 1/7/201 the appellant Amnah Hussein Hamad

Date 29/6/2011 d Mohammad Saleh Ali Hamad

Mr. President of the Advertising Bureau

You are required to give the appellant the appeal letter of the Rabek Court to the appellant Amnah Hussein Hamad and access to the receipt

Judge of the court of Rabek

Number: ASM / 304/2017 on 25/6/201

The appellant: **Amnah Hussein Hamad**

Against

The Appellant: **Mohammad Saleh Ali Hamad**

Judgement

On 20/11/2017, in case No. 304/2017, the second judge of the Rabek court for the personal status of Muslims stated the following:

- I am representing the condemned appellant Anna Hussain Hamad Mohammed, against the appellee Muhammad Saleh Ali Hammad for alimony regarding spousal support for the maintenance for their daughters' (Rouba) son, who is one and a half years old. Previous maintenance costs included ; a child allowance of £1,500 for five months, a maintenance allowance of £900 for three months, a leisure allowance of £500 for six months, a clothing allowance of £300 each month and an additional £900 pounds each month, in which Mr. Hammad was ordered to provide.
- On 5/12/2017, the appellant filed this appeal through her lawyer Mohammad Yaacoub Mohammad.
- The request was accepted because it was submitted within the time limit set by the Civil Procedure Act (Amendment 2009).
- The reasons for this appeal, was to give the appellant an opportunity to estimate their expenditures according to their economic living conditions, as the court did not relay on the salary of the defendant. In addition to this, the court also did not give the appellant the opportunity to prove all the costs of their expenditures.
- After reviewing all the documents, statements were made during the investigations which indicated that the expenditures in the documents corresponded to the total salary of the appellant. The court then estimated the payment of alimony in accordance with Article 66 of the 1991 Personal Status of the Muslims act. The salary and the time period during which expenditures were increased, compared to the

previous alimony estimates, was also taken into account, but the court had to analyze the expenses of the woman, dating back to the initial judgment which was in accordance with the provision of article 90 of the law. Mr. Hammad had to pay £1,800 in leisure allowances because he estimated that the alimony would be at £300, which also included an enjoyment expense for six months that the appellant had to pay before the verdict.

- The court of the first instance had to investigate the appeal, in accordance with article 210 of the same law, before it was considered in a month. In addition to this, the investigation can be finished before the verdict, and only requires issuing one sentence at a time. In order to prove that the appellant had undergone surgery for, the court allowed the appellant to hear her witness, Kamal al-Din, which was documented in the Defense Act No. 1. This was done before assuming the full cost of the treatment. The appellant was not able to bring her witness. She then informed the speaker that, every time she goes to witnesses home, she is not there.

So I decided the following:

- 1 - Support the maintenance of spousal support and child support
- 2- That the current expenses of the child are effective from the date of judgment 20/11/2017.
- 3- Change the leisure expenditure to be 1800 pounds, for six months after his divorce in 22/12/2016.
- 4- Cancellation of the decision on the maintenance of the pension of emptiness.
- 5- Referring the court proceedings, the court of first instance should reconsider the expenditure of costs and sums of treatment according to the memorandum.
- 6- Inform the parties.

Mahmoud Al-Taher Adam

General Court Judge