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Order No.09
12/10/2019

JUDGEMENT

Presence as before. Through my this single order, I intend to dispose off the instant suit ex-parte.

Brief facts of the case that the plaintiffs filed the instant suit for declaration cum perpetual and mandatory injunction and possession in the alternate against the defendants to the effect that the defendants have built up shops on the property of the Qom Khadizai despite the fact that do not belong to Qom Khadizai rather they belong to Qom Ali Khel. That the defendants have not obtained any permission from any person belonging to Qom Khadizai nor they have purchased the same. That they have taken into possession the property of the plaintiffs. That the defendants have nothing to do with the suit property that is why they are not entitled to take possession of the same and build up shops over the same. That the defendants were asked time and again to admit the claims of the plaintiffs but they refused, hence, the present suit.

Defendants were served through the process of the court but they failed to appear before the court, therefore, they were placed and proceeded ex-parte.

The plaintiffs produced their ex-parte evidence, which is recorded and closed.


Ex- parte arguments heard and record perused.

After hearing the arguments and perusal of the record I am of the opinion that the plaintiffs established their case through ex-parte evidence and as there is nothing in rebuttal, therefore, the suit of

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the plaintiffs is hereby decreed ex-parte as prayed for with no order as to costs.

File be consigned to the Record Room after its completion and compilation.


(Rehmat Ullah Wazir)
Civil Judge-I,
Orakzai at (Baber Mela)