

Order-28
23/12/2020

(17)

Plaintiff present through counsel.

Defendants present through representative.

Witnesses of plaintiff are not in attendance.

Perusal of the record reveals that proceedings in the instant case are fixed for evidence of plaintiff since 24.10.2019.

Repeatedly opportunities were provided to plaintiff to produce his evidence but he failed. Similarly, notices under O-17 R-3 CPC was also given to the plaintiff to produce his private witnesses and deposit diet money for official witnesses but plaintiff failed to comply with the direction of the court. Hence, court is left with the no option but to exercise powers under O-17 R-3 CPC. By exercising such a power the right of plaintiff to produce evidence is struck off and the suit of the plaintiff is dismissed. No order as to costs.

File be consigned to record room after completion and compilation.

Announced
23.12.2020


FARMANULLAH
Senior Civil Judge
Orakzai at Baber
Farman Ullah
Senior Civil Judge,
Orakzai at Baber