


## FORM "A"

## FORM OF ORDER SHEET

IN THE COURT OF MUHAMMAD JUNAID ALAM, CIVIL JUDGE/JUDICIAL MAGISTRATE-II, KALAYA ORAKZAI

Case Title: \_\_\_\_\_ Vs \_\_\_\_\_

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order 07	25.11.2024	<p>Plaintiffs in person alongwith counsel present.</p> <p>Vide this order this court intends to dispose of instant application for grant of temporary injunction filed by plaintiffs, hereinafter referred as the petitioners.</p> <p>Ex-parte arguments heard and record perused.</p> <p>Upon perusal of the record and valuable assistances of the counsel for the petitioners/plaintiffs, this court is of the view that petitioners are residing in village Azam Khan Kallay since long. Petitioners took the stance that a public way/thoroughfare about one KM has passed to the main road. Previously a scheme was approved by the government for concrete pavement of the pathway/thoroughfare. Moreover, petitioners alleged that 400 feet portion of the said pathway has been completed and remaining portion was underway, during which the respondents restrained the government contractor from concrete pavement of the disputed pathway. Contrary to this the respondents/defendants have already been placed and proceeded ex-parte, therefore, there is nothing in rebuttal at the moment.</p> <p>In given circumstances, this court is of the view that in absence of any contrary stance of respondents, a prima facie case exist in favor of the petitioners coupled with other necessary ingredients for grant of temporary injunction. Additionally, the stance taken by the plaintiffs/petitioners is related to public interest and government works.</p> <p>In light of the above discussion, the application in hand is hereby <b>allowed</b> and temporary injunction for the statutory period of six months or till disposal of instant suit is hereby granted in favor of plaintiffs and defendants/respondents are restrained from any kind of interference in the public pathway/thoroughfare. No order as to cost. Copy of this order be placed on main file. Instant file be consigned to District Record Room, Orakzai after completion and compilation.</p> <p><b><u>Announced</u></b> <b>25.11.2024</b></p> <p style="text-align: right;">   <b>Muhammad Junaid Alam,</b>  Civil Judge-II,  Tehsil Courts Kalaya, Orakzai </p>