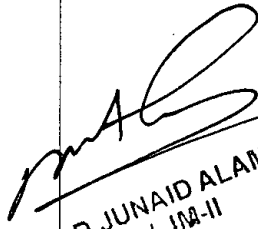



**FORM "A"**  
**FORM OF ORDER SHEET**

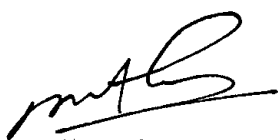
IN THE COURT OF MUHAMMAD JUNAID ALAM, CIVIL JUDGE/JUDICIAL MAGISTRATE-II, KALAYA ORAKZAI

| Serial No. of<br>Order of<br>Proceedings | Date of<br>Order or<br>Proceedings | Order or other Proceedings with Signature of Judge<br>or Magistrate and that of Parties or Counsel where<br>necessary.   |
|--|------------------------------------|--|
| 1  | 2                                  | 3  |
| Order No. 35                             | 03.03.2025                         | <p>Parties present.</p> <p>Vide this order this Court intends to dispose of instant application, filed by the defendants under Order VII, Rule 11 C.P.C. for rejection of plaint.</p> <p>Arguments heard and record perused.</p> <p>Perusal of the record would reveal that petitioners/defendants through instant application stated that respondents/plaintiffs in their plaint in para-II has termed the suit property as their ancestral property since the time of their fore-fathers, while the father of plaintiff no.03 namely Akbar Khan is still alive and thus during the life time of his father, plaintiff no. 03 has got no locus standi to file the instant suit and thus he did not approached this court with clean hands rather intended to commit fraud with the court and also misleded the court through his conduct. Lastly requested for acceptance of application.</p> <p>Contrary to this, respondents/plaintiffs stated that he has got a cause of action. Further stated that previously this Court dismissed the application filed by petitioners/defendants under Order VII Rule CPC.</p> |

  
**MUHAMMAD JUNAID ALAM**  
 Civil Judge / JM-II  
 Orakzai at Kalaya

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|------------------------------------|------------------------------|--|
| Continued Order---35               | 03.03.2025                   | <p>Lastly, 'requested' for dismissal of the application with cost.</p> <p>Perusal of the record and during the course of arguments, it was also revealed that the Full description of the suit property has not been mentioned in the plaint in order to properly identify it. Presence of any structure in the shape of homes, roads and pathway etc has not been given in the description of the property. Moreover, according to the plaint the suit property is the joint ownership of parties to the suit and according to the parties the suit land consists of vast area of agricultural land, jungles and shamilat etc. Therefore, this court does not have the jurisdiction to entertain the suit as the case in hand comes under the jurisdiction of Revenue Courts as per Land Revenue Act. It is also pertinent to mention here that the one Akbar Khan (father of plaintiff no. 03) is alive and he is the necessary parties to the suit, but plaintiffs failed to implead Akbar Khan in the panel of plaintiffs.</p> <p>In light of the above discussion, the application for rejection of plaint is hereby allowed and suit in hand is hereby rejected under Order VII Rule 11 CPC. No order as to costs.</p> |

  
**MUHAMMAD JUNAID ALAM**  
 Civil Judge / JM-II  
 Orakzai at Kalaya

| Serial No. of<br>Order of<br>Proceedings | Date of<br>Order or<br>Proceedings | Order or other Proceedings with Signature of Judge<br>or Magistrate and that of Parties or Counsel where<br>necessary.  |
|--|------------------------------------|---|
| Continued<br>Order---35                  | 03.03.2025                         | <p data-bbox="651 359 1487 499">File be consigned to the record room after its necessary<br/>completion, compilation and scanning.</p> <p data-bbox="651 537 821 626"><u>Announced</u><br/>03.03.2025</p> <div data-bbox="1040 614 1471 868"><br/><b>Muhammad Junaid Alam,</b><br/>Judicial Magistrate -II,<br/>Tehsil Court Kalaya, Orakzai</div> |
| Continued                                |                                    |   |