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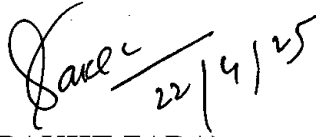
**IN THE COURT OF ADDITIONAL DISTRICT JUDGE-I, ORAKZAI AT BABER MELA**

**Case Title: Fazal Janan etc Vs Chief Engineer etc.**  
**Case No. 02/13, Dated 07.02.2025.**

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 No.05	17.04.2025	<p>Appellants/plaintiffs through one of the appellant Fazal Janan being attorney for the rest of the appellants present. Respondent No. 1, 3 and 5 through Ihsan Ullah SDO Irrigation (Respondent No. 5) present. He is directed to submit Authority letter and Wakalatnama on next date. Respondents No. 2, 4 and 6 absent. Fresh Notices be issued to them for 22.04.2025.</p> <p style="text-align: right;"> (BAKHT ZADA) Addl: District Judge-I, Orakzai at Baber Mela</p>
Order No.06	22.04.2025	<p>Appellant/petitioner through Fatih Khan along with Zahoor Ur Rehman Khan Advocate present. Respondent No. 6 in person and for respondents No. 2 and 4 present. Respondents No. 1, 3 and 5 have been served in person and on previous date were present through SDO Irrigation respondent No. 5. Today no one present on behalf of respondents No. 1, 3 and 5; therefore, placed and proceeded Ex-parte.</p> <p>Respondent No. 6 stated at the bar that neither they are executing agency, nor they have got any concern with subject matter of the suit. Similarly, on previous date SDO, Irrigation respondent No. 5 also stated that they are not necessary party in the instant suit.</p> <p>Today, learned counsel for the appellant submitted an application for remand of the case on the ground; that at the time of filing of suit proper parties were not impleaded by him. He argued that he is going to withdraw the main suit, if this court issued order for setting aside order dated 11.01.2025.</p> <p>Arguments heard and available record perused, which shows that none of the respondents in the instant appeal are necessary parties against whom effective relief could</p>

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<b>Contin-Order No.06</b>	<p>be claimed. There is no legal bar on filing fresh suit against new respondents; however, keeping in view the request of the learned counsel for the appellants/petitioners and in the interest of justice the impugned order dated 11.01.2025 is hereby set aside and the case is remanded back to the learned trial court for providing opportunity to the learned counsel for appellants/plaintiffs to either amend the plaint by impleading necessary parties, against whom effective relief could be claimed or to file fresh suit after withdrawal of the instant/main suit. Appeal disposed accordingly. No order as to cost.</p> <p>Requisitioned record be returned while file of this court be consigned to record room.</p> <p>Announced 22.04.2025.</p> <p> (BAKHT ZADA) Addl: District Judge-I, Orakzai at Baber Mela</p>
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