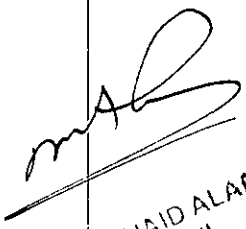


**FORM "A"**  
**FORM OF ORDER SHEET**  
IN THE COURT OF MUHAMMAD JUNAID ALAM, CIVIL JUDGE/JUDICIAL MAGISTRATE-II, KALAYA ORAKZAI

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-67	15.02.2025	<p>Parties alongwith counsel present. Respondents submitted reply to the application for withdrawal of the suit with permission to<sup>a</sup>fresh one, which is placed on file.</p> <p>Vide this order this Court intends to dispose of the instant application filed by the plaintiffs, hereinafter referred as the petitioners, for withdrawal of instant suit with permission to file a-fresh one.</p> <p>Arguments heard and record perused.</p> <p>Perusal of the record and assistance of both the counsels for the parties, would reveals that petitioners/plaintiffs through instant application allege that all the reliefs are not sought which could lead to more litigation. Furthermore, they stated that some reliefs are not properly stated in the plaint. Hence, they may kindly be allowed to withdraw the instant suit with permission to file fresh one.</p> <p>Contrary to this the respondents/defendants vehemently opposed the instant application and had alleged that no formal defect exist in the instant plaint and hence instant application has been filed with the intention to prolong litigation and waste precious time of this court. They had further alleged that suit in hand was previously withdraw with permission to file fresh one on 17.09.2020 and now after lapse of a period of more than five years the petitioners desire to withdraw the instant suit without any valid reason or reasonable grounds.</p> <p>In given circumstances, Order XXIII, Rule 1 CPC empowers the plaintiffs to withdraw his suit at any time after the institution of the suit with permission to file a fresh one subject to formal defect and subject to</p>

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

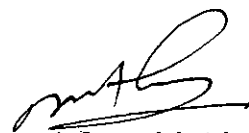
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satisfaction of the court.

Keeping in view formal defect in the suit, application for withdrawal of the suit with permission to file a fresh one is hereby accepted subject to cost of Rs. 33500/-. Resultantly, suit in hand is dismissed as withdrawn with permission to file a fresh one subject to all legal limitations. File be consigned to Record Room, Orakzai after proper completion and compilation.

**Announced**  
**15.02.2025**

  
**Muhammad Junaid Alam,**  
Civil Judge-II,  
Tehsil Court Kalaya, Orakzai