

Order 03
14.06.2025

Petitioner along with counsel present. Arguments on behalf of counsel for petitioner heard and record perused.

This is an application for restoration of Execution No. 1/10 of 2023 which was disposed of on 20.03.2024 for the reason that DH/petitioner was directed to provide details of properties of JD but petitioner failed to provide any such details. On 26.06.2023, vide order No.09 CNIC of JD was also ordered to be blocked. Now counsel for petitioner requested for re-opening the execution proceedings. In plethora of judgements it is held that cases should be decided on merits rather on technicalities. Furthermore, record shows that execution proceeding is yet to be procured, therefore, for the above reasons, application is allowed. No order as to cost. Copy of this order be placed on execution proceedings.

The instant file be consigned to record room after necessary completion.

Announced
14.06.2025



Muhammad Junaid Alam
Civil Judge-II, Kalaya, Orakzai