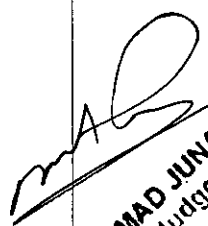
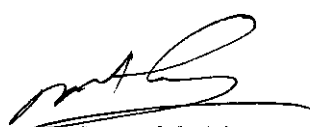


**FORM "A"**  
**FORM OF ORDER SHEET**

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

Serial No. of Order of Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of Parties or Counsel where necessary.
1	2	3
Order No. 14	03.02.2025	<p>Parties present.</p> <p>Vide this order I intend to dispose of instant application filed by defendants, hereinafter referred as petitioners, for rejection of plaint under Order VII, Rule 11 C.P.C.</p> <p>Arguments already heard and record perused.</p> <p>Perusal of the record and valuable assistance of both the learned counsels for the parties would reveal that petitioners through instant application had alleged that suit of respondent/plaintiff is bad in its present form. Petitioners/defendants further alleged that respondent/plaintiff had left the possession of the suit property situated at Daboori Tehsil Upper District Orakzai prior to the institution of this suit. Moreover, they alleged that respondent/plaintiff had also vacated the disputed house, which is the case of rent matters, while respondent/plaintiff has got no cause of action and thus suit in hand is liable to be rejected. Contrary to this the respondent/plaintiff have alleged that petitioners/defendants have illegally dispossessed the plaintiff during status quo. They further alleged that the instant suit is not liable to be rejected rather pro and contra evidence is necessary. Application in hand is premature, hence may kindly be dismissed with costs.</p> <p>Now on perusal of the record and valuable assistance of both the learned counsels for the parties, this court is of the view that plaintiff had not mentioned the specific property in the plaint. Furthermore, it is evident from the record that plaintiff alleged in his plaint that an oral</p>

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

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Continued Order---14	03.02.2025	<p>agreement was made between the parties that he will cultivate the suit property on half share of produce with effect from 2016 to 2028, but plaintiff himself handed over the possession of the suit property/house to defendants on 1<sup>st</sup> January, 2024 before completion of agreement period. Thus, the alleged oral agreement, if any has become infructuous. Moreover, no specific term and condition and witnesses of the oral agreement has been mentioned in the plaint. Therefore, the very basis of the suit is infructuous, while plaintiff had promised to hand over the possession of residential house after Eid Ul Fitar.</p> <p>It is also pertinent to mention that the instant suit was instituted on 24.06.2024, while the petition under section 22-A Cr. PC was lodged on 07.06.2024 against the defendants for alleging that police officials raided the house of the plaintiff and illegally dispossessed him and arrested his sons. Therefore, the suit is of no use, rather mis-statement has been made before the Court.</p> <p>In light of what has been discussed above, as plaintiff have got no cause of action to file the instant suit, hence accordingly the paint in hand is hereby rejected under Order VII Rule 11 C.P.C. No order as to costs. File be consigned to the record room after its necessary completion, compilation and scanning.</p> <p><b><u>Announced</u></b> <b>03.02.2025</b></p> <p style="text-align: right;">   <b>Muhammad Junaid Alam,</b>  Civil Judge -II,  Tehsil Court Kalaya, Orakzai </p>