

Order No 06  
12.07.2025

Plaintiff No. 01 alongwith counsel present. Defendant No.05 along with counsel present. Reply to the application submitted by counsel for defendants. Arguments on application for withdrawal of case/suit with permission to file a fresh one contending that there is a formal defect in the suit.

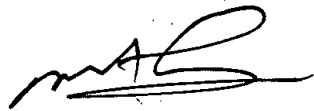
Order XXIII, Rule 1 CPC empowers the petitioners/plaintiffs to withdraw his case/suit at any time after the institution of the same with permission to file afresh one subject to formal defect and subject to satisfaction of the court.

As per contents of application petitioners/plaintiffs have not mentioned Mountain Jungle Malak Faqeer in the plaint. Counsel for petitioners/plaintiffs requested for withdrawal of the suit with permission to file afresh one for the reason mentioned in the application.

Therefore, keeping in view the contents of application and arguments of counsel for petitioners the application for withdrawal of the suit with permission to file afresh one is hereby accepted. The suit in hand is dismissed as withdrawn with permission to file afresh one. No order to costs.

File be consigned to record room after necessary completion and compilation.

Announced.  
12.07.2025

  
Muhammad Junaaid Alam  
Civil Judge-II, Tehsil Court  
Kalaya, Orakzai