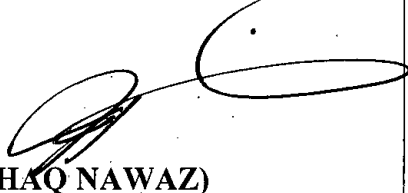


IN THE COURT OF DISTRICT JUDGE, ORAKZAI AT BABER MELA

Case Title: Yaqoot Jam et. VS Haider Ghulam et.

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	20.08.2025	<p>Counsel for the parties present. Written reply submitted and placed on file. Arguments heard. Though the application for restoration of Revision Petition No. 1/12 of 2025 is time barred by few days, but in order to decide the matter on merit, the application is accepted and the revision petition is restored. It be registered on its original number.</p> <p>Arguments on revision petition heard and record perused.</p> <p>The petition was submitted against the order dated 15.03.2025 passed in Civil Suit No. 46/1 of 2021 by the court of Civil Judge-II, Tehsil Court Kalaya, Lower Orakzai, whereby application by the petitioners for re-examination of attorney for the plaintiffs was turned down. In their application the plaintiffs/petitioners submitted that they are going to produce Google Map in respect of the suit property and exhibit power of attorney on behalf of the plaintiffs.</p> <p>After hearing both the parties and perusal of the record, it was found that the production of Google Map is not necessary for just decision of the case which is meant for declaration of shares of the plaintiffs/petitioners in the legacy of their deceased father whereas the power of attorney, executed in favor of the PW-1, was exhibited during the course of recording his statement. It transpired during his cross examination that the said power of attorney was having no signature/endorsement of the principal (plaintiffs). Needless to mention that PW-1 is the real son of one of the</p>

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<p><b>Contin. Order No.05</b></p>		<p>plaintiffs. It is a settled law that if an agent acts without proper authority, the principal can ratify the actions taken by the agent. The absence of verification by a duly authorized person does not necessarily render a document void. However, while subsequent verification of a power of attorney by a principal can validate action taken by an agent, it is essential that the power of attorney itself is executed properly and that the agent acts within the scope of their authority. If there are any doubts regarding the authority, the principal must clarify and ratify the actions taken to ensure legal standing.</p> <p>In view of the above, the revision petition is accepted. The impugned order is set aside and the petitioners are allowed to produce the plaintiffs before the trial Court on the date fixed for verification/ratification of the power of attorney whereafter the trial Court may proceed further in accordance with law.</p> <p>File of this Court be consigned to record room after its necessary completion and compilation. Copy of this order be sent to the trial Court for information and compliance.</p> <p><b><u>Announced:</u></b> 20.08.2025</p> <p style="text-align: right;">   <b>(HAQ NAWAZ)</b>  District Judge, Orakzai  at Baber Mela </p>