

IN THE COURT OF MUHAMMAD JUNAID ALAM,
CIVIL JUDGE-II TEHSIL COURTS, KALAYA, ORAKZAI

Civil Suit No.	24/1 of 2025
Date of Original Institution:	07.03.2025
Date of Decision:	30.06.2025

RIAZ ULLAH SON OF MUHAMMAD SHAFIQ, RESIDENT OF QOM MISHIT, TAPA HAIDER KHEL, NAVI MELA, DISTRICT ORAKZAI.

(PLAINTIFF)

VERSUS


1. SAID WAZIR SON OF NOORAN GUL AND
2. MUHAMMAD ULLAH SON OF SAID WAZIR, BOTH RESIDENTS OF QOM MISHTI, TAPA HAIDER KHEL, VILLAGE KASHA, TEHSIL CENTRAL DISTRICT ORAKZAI.

(DEFENDANTS)

SUIT FOR DECLARATION CUM PERMANENT AND MANDATORY INJUNCTION

Ex-Parte Judgment/Order:
30.06.2025

Vide this ex-parte order the Court intends to dispose of suit in hand filed by plaintiff against defendants.


MUHAMMAD JUNAID ALAM
Civil Judge-II
Orakzai

Brief facts of the case gathered from the plaint are that plaintiff has filed the instant suit for declaration cum perpetual injunction to the effect that plaintiff is owner in possession of the suit property known as *Lawarr laki* the time of his ancestors. Plaintiff time and again requested to not interfere in the suit property in the shape of raising construction but they refused, hence, the present suit.

After institution of the instant suit the defendants were

summoned. Defendants were properly served but they did not appear before the court, hence, placed and proceeded ex-parte.


Plaintiff was directed to produce his ex-parte evidence. Accordingly, plaintiff produced as many as three witnesses.

Riaz Ullah, the plaintiff himself is appeared as PW-01. He produced his CNIC which is Ex. PW-1/1. He supported his stance as narrated in the plaint.

Mujeeb Ur Rehman, appeared before the court as PW-02. He produced his CNIC which is Ex. PW-2/1. He supported the claim of the plaintiff as narrated in the plaint.

Ameer Khan is appeared before the Court and deposed as PW-03. He produced his CNIC which is Ex. PW-3/1. He also reiterated the same story as in the plaint.

Thereafter, plaintiff closed his evidence with a note and accordingly counsel for the plaintiff advanced ex-parte arguments.


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

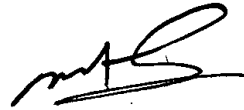
Upon perusal of record, evidence produced by plaintiff and valuable assistance of counsel for the plaintiff this court is of the view that all the PWs deposed in light and support of the stance of plaintiff as stated in the plaint. Furthermore, due to ex-parte proceedings nothing in rebuttal or contradictory is available on the record.

In light of the above discussion, instant suit of plaintiff is hereby ex-parte decreed against defendants. No order as to costs.

File be consigned to the District Record Room, Orakzai after its completion and compilation.

Announced

30.06.2025



Muhammad Junaid Alam,
Civil Judge-II,
Tehsil Courts, Kalaya, Orakzai

CERTIFICATE

Certified that this judgment of mine consists of 03 pages, each has been checked, corrected where necessary and signed by me.



Muhammad Junaid Alam,
Civil Judge-II,
Tehsil Courts, Kalaya, Orakzai