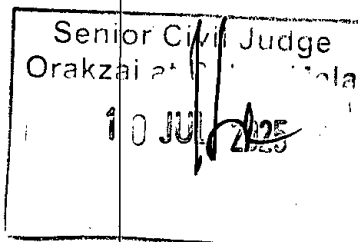


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COURT OF SENIOR CIVIL JUDGE, ORAKZAI AT BABER MELA

Case Title: Mst. Khushranga vs Gul Jan etc


Serial No of order or proceeding s	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. 07	10.07.2025	<p>Petitioner through special attorney along with counsel present. Respondents through special attorney along with counsel present.</p> <p>This order is to decide an application filed by plaintiffs for grant of an interim injunction to restrain the defendants from certain acts in respect of suit property. Respondents have already submitted their written reply.</p> <p><u>Brief Account:</u></p> <p>Plaintiffs claim that they are owners to the extent of their share in the suit property that is allegedly the patrimony of deceased Mr. Mirza Khan. They allege that defendants have been trying to forcibly occupy suit land for some time now. They add that since the plaintiffs are females, defendants are fearless in violating their rights in the subject matter.</p> <p>Respondents on the contrary claim that they are owners in suit property through inheritance and has been in active possession of their share since the time of their ancestors.</p> <p>Arguments heard and record perused.</p> <p><u>Reasons:</u></p> <p>A brief visit to concept of interim injunctive order seems imperative. It is an extraordinary relief offered in exceptional circumstances to a party who is faced with an imminent risk of irreparable loss, and has a good prima facie case on available record.</p> <p>Considering the principles set by law for grant of interim injunctive relief, it is safe to infer that the party seeking it must establish a good pre-trial case before the court.</p>



(b)

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Order No. 07 continued	10.07.2025	<p>Presently, before the court is nothing in writing of a neutral origin to indicate the entitlement of the plaintiffs. Further, plaintiffs claim that they are entitled to their 1/8th share in the suit property, and defendants are alien to it. Clearly, other than the parties, 7/8th of the land is owned by other persons, who are not party in the suit, not even as proforma defendants.</p> <p>Before the court, other than self-serving pleadings of both sides, there is nothing to which the court can hold onto in grant of interim injunctive order. Pleadings of equal status but opposite positions cancel each other out in pre-trial proceedings for grant of injunction.</p> <p><u>Ruling:</u></p> <p>Application lacks necessary merits required for grant of interim injunction. Application is dismissed.</p> <p>File be consigned to the record room after its completion and compilation.</p> <p><u>Announced</u> 10.07.2025</p> <div style="text-align: right;"> Ijaz Mahsood Senior Civil Judge, Orakzai (at Baber Mela)</div>
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