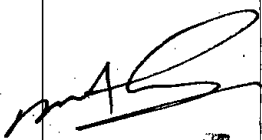


FORM OF ORDER SHEET

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

Case Title: _____ Vs _____

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 08	24.09.2025	<p>Parties present.</p> <p>Vide this order the court intends to dispose of instant application for grant of temporary injunction filed by plaintiff, hereinafter referred as the petitioner.</p> <p>Argument learned counsel for petitioner/plaintiff already heard while counsel for respondents/defendants advanced his arguments.</p> <p>Perusal of the record would reveal that petitioner/plaintiff is claiming himself as owner in possession of the suit property situated at Zaridar Chappar Mishti, measuring about 12-kanal since the time of his fore-fathers. Furthermore, stated that respondents/defendants have forcefully occupied the suit property and are utilizing it in the shape of digging coal mine. Due to this illegal occupation, he filed an application at the police station Kuraiz Boya, that respondents/defendants are illegally and unlawfully interfering in the suit property. In the last petitioner/plaintiff prayed for the acceptance of application. Contrary to this respondents/defendants alleged that the instant suit is false and frivolous, hence liable to be dismissed with special cost. Furthermore, that petitioner/plaintiff has no cause of action and has not approached the court with the clean hands. Furthermore,</p>



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


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stated that the suit property is the ownership in possession of respondents/defendants and petitioner/plaintiff has no concern with the suit property and the coal mine and machinery is installed in their owned suit property.

In given circumstances, this court is of the view that the respective stance alleged by both the parties to the suit is subject to proof after recording of pro and contra evidence and furthermore, in absence of revenue record in district Orakzai, at this stage it is not possible for this court to ascertain that as who amongst the parties to the suit is real owner of the suit property. However, perusal of the plaint by petitioner support the stance of petitioner at this stage, irrespective of the fact that same are subject to proof after recording of pro and contra evidence, hence a prima facie case exist in favour of petitioner at this stage.


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

In light of above discussion, instant application for grant of temporary injunction filed by plaintiff is hereby **allowed** and temporary injunction for the statutory period of six months or till disposal of instant suit, whichever comes earlier, is hereby granted in favour of plaintiff and defendants are hereby directed to not to further change the nature of suit property or to further alienate the same through any mode of transfer. Furthermore, defendants are restrained from new or further construction over the suit

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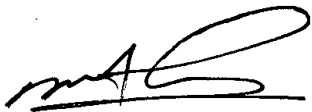
FORM "A"

FORM OF ORDER SHEET

IN THE COURT OF MUHAMMAD JUNAID ALAM, CIVIL JUDGE/JUDICIAL MAGISTRATE-II, KALAYA ORAKZAI
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property. Both the parties should enjoy the benefits their existing possession. No order as to costs. Copy of this order be placed on main suit file while file in hand be consigned to the record room after its necessary completion and compilation.

Announced
24.09.2025



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