

**IN THE COURT OF MUHAMMAD JUNAID ALAM
CIVIL JUDGE/FAMILY JUDGE-II, KALAYA, ORAKZAI**

Suit No. : 1/FC of 2025.
Date of Institution : 03.02.2025
Date of Decision : 22.04.2025

Farmeen Bibi W/O Muhammad Umar D/O Younas Khan R/O, Qoum
Mishti, Tappa Darvi, Tehsil Lower, District Orakzai

.....(Plaintiff)

VERSUS

Muhammad Umar S/O Gul Hassan, R/O Shakar Dara, Tehsil, Tehsil
District, Kohat, Frontier Core One Wing, Ghiljo District Orakzai.

.....(Defendant)

Mr. Sanaullah Khan Advocate for plaintiff

Ex-Parte Order

22.04.2025

Plaintiff along with counsel present. Ex-parte evidence recorded as
PW-03 and PW-04 & closed. Arguments heard and record perused.

Plaintiff namely Mst: Farmeen Bibi has invoked the jurisdiction of this
Court against the defendant namely Gul Hassan praying for:

P R A Y E R S:

- i. *Dissolution of marriage on the ground of cruelty.*
- ii. *Recovery of dower of 06 tola gold ornaments or its current market price as dower.*
- iii. *05 Marla Plot at District Kohat.*
- iv. *Medical allowance of Rs. 100,000/- (one lac)*
- v. *Recovery of dowry articles per list annexed with the plaint (amounting Rs. 150,000/-)*
- vi. *Diet money from 01 June 2024 till disposal of suit.*



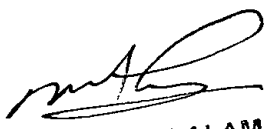
MUHAMMAD JUNAID ALAM
Civil Judge / JM-II
Orakzai at Kalaya

FACTS:

Brief facts of the instant suit are that plaintiff filed the instant suit for dissolution of marriage on the ground of cruelty and recovery of dower, recovery of maintenance allowance, diet money, medical allowance and dowry articles against the defendant contending that marriage of plaintiff was solemnized with defendant in the year 2021 according to Sharia Muhammadi and 06 tola gold ornaments was fixed to be the dower which has not been paid to plaintiff. That after the Nikah, relationship between the parties remained cordial but thereafter, behavior, conduct and attitude of defendant towards the plaintiff changed and the defendant started beating and abusing her. She was physically and mentally tortured. That lastly, defendant ousted plaintiff from house after 06 months of Nikkah only in her wearing clothes and since then, she has been living with her poor parents. That efforts for reconciliation on behalf of plaintiff were made but in vain, hence the present suit.

Upon institution of the suit in hand, defendant was summoned, who remained absent despite service through personal mobile phone, hence, placed and proceeded against ex-parte and thereafter, plaintiff was allowed to produce her ex-parte evidence.

After submission of list of witnesses, plaintiff produced four witnesses in support of her claim.


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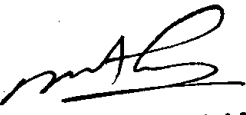
Niaz Khan and Mamber Khan co-villagers of plaintiff appeared and recorded their statements as PW-01 and PW-02 respectively. They stated that plaintiff belong to their caste. During engagement ceremony they were personally present there and fixed the conjugal relationship between plaintiff and defendant. They further supported the stance of plaintiff. Copies of their CNICs are Ex.PW-1/1 & Ex.PW-2/1 respectively.

Plaintiff herself appeared and recorded her statement as PW-03. She reiterated the averments of plaint. Copy of her CNIC is Ex.PW-3/1. List of dowry articles is Ex. PW-3/2. She lastly requested for decree of suit in her favour against the defendant as prayed for.

Younas Khan (father of plaintiff) appeared and deposed as PW-PW-04. He fully supported the claim of plaintiff and requested for decree of suit in her favour against the defendant as prayed for in the plaint. Copies of his CNIC is Ex. PW-4/1.

Thereafter, plaintiff closed its evidence.

It is discernible from the available record that plaintiff cannot live within the wedlock under the limits prescribed by Almighty Allah and there is no possibility of happy reunion of couple in the prevailing circumstances, therefore, suit of plaintiff is hereby ex-parte decreed in her favor as prayed for and as a result thereof, marriage and Nikkah of the plaintiff with defendant is hereby dissolved today. Her idat period starts from today as per law. She is held entitled to 06 Tola Gold, 05 Marla plot at District Kohat, dowry


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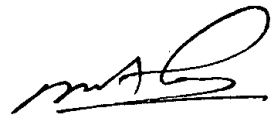
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articles per list annexed with the plaint (amounting Rs. 150,000/-) and maintenance allowance of Rs. 10,000/- per month till completion of period of idat.

Note: Intimation of ex-parte decree along with attested copies be sent to defendant and Union Council concerned by issuing notice through registered post at the expenses of plaintiff.

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

Announced
22.04.2025


(Muhammad Junaid Alam)
CJ /Family Judge-II, Kalaya, Orakzai