

Order No 03

21.08.2026

Plaintiff through counsel present. Representative of defendants present. He submitted authority letter, which is placed on file. Counsel for plaintiff filed application for withdrawal of case/suit with permission to file afresh one contending that there is a formal defect in the suit. Representative of defendants marked no objection on the acceptance of application.

Order XXIII, Rule I CPC empowers the petitioners/plaintiff to withdraw his case/suit at any time after the institution of the same with permission to file afresh one subject to formal defect and subject to satisfaction of the court.

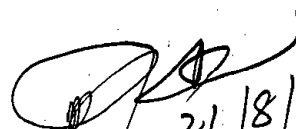
As per contents of application there is a formal defect in the plaint. Counsel for plaintiff requested for withdrawal of the suit with permission to file afresh one for the reason mentioned in the application.

Therefore, keeping in view the contents of application and no objection of representative of defendants, the application for withdrawal of the suit with permission to file afresh one is hereby accepted. The suit in hand is dismissed as withdrawn with permission to file afresh one. No order as to cost.

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

Announced.

21.08.2026


21/8/26.
Noor Ul Haq
Civil Judge-II, Tehsil Court
Kalaya, Orakzai