

FORM "A"

FORM OF ORDER SHEET

IN THE COURT OF MUHAMMAD JUNAID ALAM, CIVIL JUDGE/JUDICIAL MAGISTRATE-II, KALAYA ORAKZAI
Case Title: _____ Vs _____

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	08.09.2026	Parties alongwith their counsel present. Today, the case was fixed for submission of reply. Counsel for defendants submitted a reply and opposed the application. It has been contended in the reply that the plaintiff instituted the instant suit merely with the intention to harass and cause unnecessary inconvenience to the defendants. It is further stated that the defendants have been regularly appearing before this Court from Kohat, Stori Khel and Peshawar on each and every date of hearing and, for defending the suit, they were constrained to engage a counsel, thereby incurring litigation expenses amounting to approximately Rs. 200,000/-. Counsel for defendants, therefore, requested that the plaintiff be burdened with appropriate costs. Arguments heard and record perused. Under Order XXIII Rule 1 CPC, a plaintiff is entitled, subject to the conditions prescribed therein, to abandon or withdraw his suit. In the present case, the plaintiff has categorically expressed his intention not to proceed further with the instant litigation and has sought withdrawal of the suit. The defendants have opposed the application mainly on the ground that they have been unnecessarily dragged

08/09/26.
NOOR JIL HAQ
CIVIL JUDGE/JM-II
ORAKZAI, KALAYA

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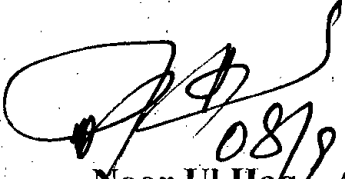
into litigation and have incurred considerable expenses in attending the Court and engaging counsel.

It is a settled principle that while a plaintiff may, subject to law, withdraw his suit, such withdrawal does not necessarily disentitle the defendants from claiming appropriate costs incurred in defending the proceedings.

In view of the above facts and circumstances, and considering the provisions of **Order XXIII Rule 1 CPC**, the application for withdrawal is allowed. Consequently, the instant suit is hereby dismissed as withdrawn.

File be consigned to record rooms after its necessary completion and compilation.

Announced:
08.09.2026


Noor Ul Haq
Civil Judge-II, Tehsil Court
Kalaya, Orakzai