IN THE COURT OF JUDICIAL MAGISTRATE-I, KALAYA, ORAKZAI

Petition No... ..... 41/4 of 2023.

Date of institution.....11.05.2023.

Date of decision.....12.05.2023.

Order...02
12.05.2023

None present for the state despite notice. Petitioner along with Mr. Asad Ijaz Advocate present. Record received. Arguments heard and record perused.

Petitioner namely Madah Khan S/O Esa Nabi R/O Ustarzai Bala, District Kohat is seeking return of Suzuki, Chassis No. 491840, Engine No. 386756 taken into possession by the local police in case FIR No.49 dated 09.05.2023 U/S 15-AA, Police Station Kalaya.

Record reveals that Suzuki in question was taken into possession by the local police in the above cited case. Per record, the vehicle in question is applied for registration. Copy of Delivery Acceptance Note is annexed with petition as per which the vehicle has been delivered to one Shoaib Ullah Khan. Vehicle in question has not been delivered to petitioner. Furthermore, per contents of murasila and recovery memo, the chassis and engine Nos. of the vehicle taken into possession by the local police in the above cited case, are 491840 and 386756 respectively whereas, per Delivery Acceptance Note, engine No. of the vehicle is 381840. There is nothing on record which could show that the vehicle in question has been acquired through purchase by petitioner from the said Shoaib Ullah Khan or from any bargain.

12/05/2023

ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

As petitioner failed to produce authentic documents regarding the vehicle in question, therefore, the instant superdari petition stands dismissed. Record be return back to the quarter concerned. Copy of the order be placed on file.

The instant file be consigned to record room after completion and compilation.

Announced
12.05.2023

Zahir Khan
Judicial Magistrate-I, Tehsil Kalaya,
District Orakzai