

Order No 10
22.09.2026

Parties alongwith counsel present. Counsel for plaintiff filed an application for withdrawal of case/suit with permission to file afresh one contending that there is a formal defect in the suit. Counsel for defendant marked no objection on acceptance of application.

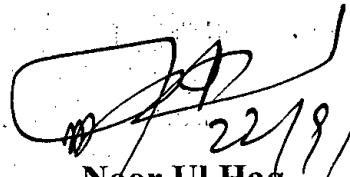
Order XXIII, Rule I CPC empowers the petitioners/plaintiff to withdraw his case/suit at any time after the institution of the same with permission to file afresh one subject to formal defect and subject to satisfaction of the court.

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 counsel for 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 The suit in hand is dismissed as withdrawn with permission to file afresh one.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.
22.09.2026


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