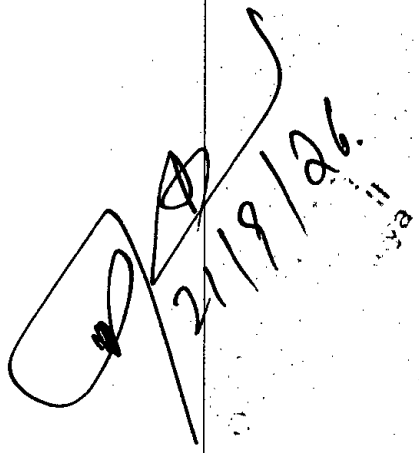


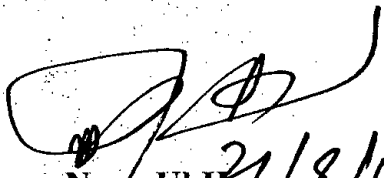
FORM "A"
FORM OF ORDER SHEET

IN THE COURT OF NOOR UL HAQ, CIVIL JUDGE/JUDICIAL MAGISTRATE-II, KALAYA ORAKZAI

Serial No. of Order of Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of Parties or Counsel where necessary.
1	2	3
Order No. 15	21.09.2026	Parties alongwith their counsels present. Vide this order, the Court intends to dispose of instant application for grant of temporary injunction, filed by the plaintiff, hereinafter referred as petitioners. Arguments heard and record perused. Brief facts as per claim of the plaintiff are that parties and perusal of the available record revealed that parties to the suit are joint owners and possession of the suit property according to their respective shares, fully detailed in the headnote of the plaint. That the suit property was devolved upon parties to the suit from their predecessor and each party enjoying their ownership & possessions over the suit property. That the property adjacent to the suit property was partitioned between parties to the suit by their grand-father, while the remaining portion of the suit property was left as joint property for graveyard. That a jirga was convened between the parties to the suit on 25.06.2025 in presence of witnesses and it was decided that the suit property is the joint ownership of the parties. That defendants/respondents are now denying the joint


 21/9/26.
 IN THE COURT OF NOOR UL HAQ
 CIVIL JUDGE/JUDICIAL MAGISTRATE-II
 KALAYA ORAKZAI

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		ownership and possession of petitioners/plaintiffs over the suit property. Petitioners lastly requested for acceptance of application and confirmation of ad interim status quo in their favors. Contrary to this, respondents/defendants stated in their written statement that the suit property is their ancestral property and was dedicated as <i>waqf</i> by respondents/defendants for graveyard and graves of their ancestors are also situated therein. Furthermore, suit property is not joint property of parties to the suit, and respondents/defendants erected trees over the suit property. That jirgas were held between the parties dated 27.09.2021 & 17.10.2023, upon the same the petitioner/plaintiffs have not acted upon and therefore, they lastly requested for dismissal of the application. Going through record, this court is of the view that though petitioner is alleging the suit property to be joint ownership, yet this fact has been denied by respondents, saying it has their ancestral property. It is mentioned here that the title dispute exists between the parties and in absence of pro and contra evidence it cannot be ascertained as to who amongst the parties to the suit is real owner of suit property. Furthermore, petitioners had

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		not annexed any proof with their plaint which could suggest that petitioners/plaintiffs are joint owners of the suit property, hence, no prima facie case exist in favor of plaintiffs at this stage. In light of what has been discussed above, the application in hand is hereby dismissed and the ad interim status quo already granted is vacated. Cost shall follow the events. Instant file be consigned to District Record Room, Orakzai after its proper completion and compilation. <u>Announced</u> 21.09.2026  <u>Noor Ul Haq,</u> Civil Judge -II, Tehsil Courts Kalaya, Orakzai