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.
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Order No. 04	**14.10.2026**	Parties alongwith their counsels present. Vide this order, the Court intends to dispose of instant application for grant of temporary injunction, filed by the plaintiffs, hereinafter referred as petitioners. Arguments heard and record perused. Record reveals that petitioners/plaintiffs in the instant suit have alleged that they are lawful owners of the suit property, fully detailed in the headnote of the plaint. That the suit property was given on *Kalang* by the predecessor of petitioners to the father of respondents namely Abdul Khanan in the year of 1960, according to the local customs and tradition. That the respondents regularly paid the agreed *Kalang* to the petitioners up to the year 1982. They further claimed that after the year of 1982, the respondents stopped paying the agreed *Kalang* to the petitioners, without any lawful justification, while still having possession of the suit property. That respondents subsequently, without the consent of petitioner, started construction of a toilet over the suit property. Upon the same, petitioner submitted an application to the worthy DPO, Orakzai. Petitioners lastly requested for acceptance

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		of application and confirmation of ad interim status quo in their favors. Contrary to this, respondents stated that they are lawful owners in possession of the suit property comprising their ancestral house, open courtyard and a hujra. That respondents deny the claim of the petitioners, that the predecessor of the petitioner had given the suit property to father of respondents on *Kalanag*. They lastly requested for dismissal of the application. Going through the record on file, pleadings of the parties and hearing arguments of learned counsels for the parties, this Court observed that both parties have resorted to jirgas, and dispute resolution council (DRC). Such documents are placed on file. The decision if DRC is admitted by plaintiffs, which says that both the parties have pardoned eachothers, for *kalang* and *bhaichara* respectively. This fact has not been rebutted by learned counsel for plaintiff during arguments on the application. Moreover, defendants are enjoying possession of the suit property, and at this stage, plaintiff could not bring forth any convincing material in favour of his stance. Thus this Court holds that all the three ingredients for issuing injunction order tilt in favour of respondents/defendants,

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		and if they have been restrained from enjoying the peaceful possession, they would suffer irreparable loss. Therefore, for the reasons recorded above, the application for temporary injunction is hereby dismissed. Cost shall follow the events. However, this order shall be subject to final outcome of the case, after recording pro and contra evidence of the parties, and shall not prejudice the merit of the instant case. Instant file be consigned to District Record Room, Orakzai after its proper completion and compilation. **Announced** 14.10.2026 **Noor Ul Haq,** 14/10/26 Civil Judge -II, Tehsil Courts Kalaya, Orakzai