FORM "A"
FORM OF ORDER SHEET

IN THE COURT OF NOOR UL HAQ, 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 02	17.10.2026	Applicant and respondent Tehsildar in person present. Respondent submitted reply alongwith enclosure which are placed on file. Both the parties were personally heard at length. According to application, the applicant claims that he is the lawful owner of the suit property situated at Khan Kallay, while Tehsildar, Lower Orakzai, is unlawfully interfering with his possession over the said property, thereby causing him irreparable loss. It was further submitted that two cases pertaining to the suit property are already pending before the Court and were fixed for 15.10.2026 and 21.10.2026, respectively and that the property in question has already been attached under section 145 CrPC. Notice of the application was issued on previous date against Tehsildar, who appeared today and submitted written reply to the application, placed on file. He stated that a total of 120 kanals of land was acquired by the Provincial Government for establishment of the Sports Complex, Kalaya, during the years 2003 and 2004, and that compensation for the acquired land had already been paid to owners of the property. He stated that applicant is not the

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		owner and payment had been made to other parties/real owners of the property. He further contended that during construction of the sports complex, instead of 120 kanals, 104 kanals property was taken into possession by the then officials, inadvertendly. That the remaining 16 kanals are now to be taken into possession, for which payment had already been made. He stated that the real owners have permitted them to proceed. The respondent further stated that the applicant is interfering with the remaining portion measuring 16 kanals, and is not letting them take its possession. When asked by the Court, the applicant stated that they have no concern with the property acquired for Sports Complex at Kalaya and never claimed it to be their property, however, the applicant claimed that in the garb of Sports Complex property, the respondents are bent upon taking possession and interfering with the property adjacent to the Sports Complex, which is their ownership. Upon perusal of record and contention of the parties, it was noted that the property acquired by the Provincial Government for Sports Complex at Kalaya, under due process of law, as per documents produced by respondent. Further, perusal of the order of this Court, attaching the property under section 145 CrPC, it was noted that though the property under dispute in the said petition, was attached,

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		yet, the landed property, if acquired by the Federal or Provincial Governments, was exempted from attachment. Therefore, if Federal or Provincial Governments have acquired or are going to acquire any landed property, the said attachment order shall not be applied. However, the Government functionary is required to proceed strictly within the four corners of law. Therefore, for the reasons mentioned above, the respondent Tehsildar, Lower Orakzai, is directed to properly measure the property of Sports Complex at Kalaya and peruse the relevant acquisition record, and to check as to whether, it is short of 16 kanals or not. He is further directed, that if the respondents noted that 16 kanals are short, he shall adopt proper legal procedure, prescribed by law, before taking possession of the remaining 16 kanals, if any. The instant file be consigned to record room after completion and compilation. **Announced**: 17.10.2026 17/10/26 **Noor Ul Haq,** Civil Judge/JM -II, Tehsil Courts Kalaya, Orakzai