FORM "A"
FORM OF ORDER SHEET

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

Case Title: _____ Vs _____

Serial 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-17	**14.10.2026**	Parties alongwith their counsels present. Vide this order the Court intend to dispose of instant application for grant of temporary injunction filed by plaintiffs, hereinafter referred as petitioners. Arguments heard and record perused. The record reveals that petitioners/plaintiffs through instant suit claimed that they are owners in possession of the suit field measuring about one jerib situated at Shalzara, since the time of their ancestors. That they constructed a protection wall surrounded by the suit field in the year of 2007-08. That the said wall is now in dilapidated condition and they want to re-construct the same, but respondents are illegally interfering in the suit property. They lastly requested that the application may be accepted and respondents may be restrained from interference. Contrary to this respondents/defendants vehemently opposed the instant application and stated that petitioners/plaintiffs have encroached upon the suit property, which is the public thoroughfare of the respondents/defendants and the predecessor of the petitioner have never got objection on the same. They lastly requested that petitioners/plaintiff's application may kindly be dismissed. Going through the record with the valuable assistance of

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		learned counsels for the parties, this Court observed that the controversy between the parties primarily related to the disputed boundary and the alleged encroachment. Defendants/respondents have not denied the ownership of plaintiffs over the suit property, around which plaintiffs had constructed boundary wall, which is being re-built over the same boundary.The rival claims of the parties regarding ownership, possession and the location of the boundary will be determined after recording of evidence. Furthermore, a jirga was also held between the parties, wherein it was decided that the wall surrounding the suit field is the ownership of plaintiffs, which shows that plaintiffs have a prima facie case. Moreover, if the wall is not repaired/re-constructed the plaintiffs will suffer irreparable loss. The three ingredients for grant of temporary injunction, i.e. prima facie case, balance of convenience and irreparable loss, tilt in favour of plaintiffs. In the circumstances, in order to restrain the respondents/defendants not to take law into their hands and avoid any further dispute between the parties, temporary injunction is hereby confirmed for the statutory period of 06 months or till disposal of instant suit, whichever comes earlier. Defendants are restrained from interference of any kind, in the suit property, failing which they shall face the

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		law. Cost shall follow the events. Copy of this order be placed on main suit file while file in hand be consigned to the record room after its necessary completion and compilation. **Announced** **14.10.2026** **Noor Ul Haq,** Civil Judge-II, Tehsil Courts Kalaya, Orakzai