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COURT OF SENIOR CIVIL JUDGE, ORAKZAI AT BABER MELA

Case Title: Mir Badshah Vs Saif Ullah etc.

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 No. 08	**04.11.2026**	Parties along with their respective counsel present. This order shall decide the issue of maintainability of instant suit filed by Mr. Mir Badshah, the plaintiff, against Mr. Saif Ullah. **Brief Account:** The claim as recounted in the plaint reads that plaintiff donated land to defendant no 02 for construction of a school. That as a compensatory benefit defendant no 01 was recruited as government employee in the said school. It is stated that defendant no 01 has retired, and now he is trying to have his son recruited to the post. Plaintiff claims that at the time of the first employment on the seat, it was agreed between plaintiffs and defendant no 01 that next name for employment would be offered by drawing lot. He alleges that defendant no 01 has reneged on his agreement. He prays for specific performance of the agreement. Arguments on maintainability of the suit heard. **Reasoning:** The reasons for the court's decision in the matter are as follows: Prayers of the plaintiff expect of the court to issue injunctions to the defendants to restrain them from employing nephew of defendant no 01 to the post

Senior Civil Judge
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Order No.08 Continued.	**04.11.2026**	vacated by him. • Government posts are sacred trust of the people to be filled with eligible and competent persons purely on the basis of merit. No person can have any special claim to a government job except being deserving on the basis of merits and competition. • The apex court in multiple rulings have expressly prohibited this obsolete practice prevalent in erstwhile FATA of offering government employment in return for donation of land for public purposes. • Any contract in violation of law is void ab-initio and cannot be sought to be enforced through a decree of the court. • In view of the foregone, the court does not find a valid and actionable cause for plaintiff to file the suit. **Ruling:** In view of the foregone, plaintiff does not have a valid cause for legal action. Suit is held non-maintainable, and is dismissed as such. File be consigned to record room after its necessary completion and compilation. **Ijaz Mahsood** Senior Civil Judge, Orakzai at Baber Mela