FORM "A"
FORM OF ORDER SHEET
IN THE COURT OF NOOR UL HAQ, CIVIL JUDGE/JUDICIAL MAGISTRATE-II, KALAYA ORAKZAI

Aziz Rehman vs Itbar khan

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-08	02.11.2026	Parties alongwith their counsels present. Reply submitted, which is placed on file. Vide this order this Court intends to dispose of the instant application filed by the plaintiffs, hereinafter referred as the petitioners, for withdrawal of instant suit with permission to file a fresh one. Arguments heard and record perused. Perusal of the record would reveal that petitioners/plaintiffs through instant application stated that all the reliefs are not sought which could lead to more litigation. Furthermore, they stated that all the property has not been mentioned in the plaint, therefore, prayed that may kindly be allowed to withdraw the instant suit with permission to file fresh one. Contrary to this the respondent's/defendants vehemently opposed the instant application and had stated that remaining properties had already been partitioned between the parties to the suit and furthermore, no formal defect exist in the instant plaint and hence instant application has been filed with the intention to prolong litigation and waste precious time of this court. That petitioners/plaintiffs withdraw the instant suit without any valid reason or reasonable grounds. 02/11/26. NOOR UL HAQ Civil Judge / JM-II Orakzai at Kalaya

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		In given circumstances, Order XXIII, Rule 1 CPC empowers the plaintiffs to withdraw his suit at any time after the institution of the suit with permission to file a fresh one subject to formal defect and subject to satisfaction of the court. Keeping in view formal defect in the suit and mentioning of remaining properties in the plaint, application for withdrawal of the suit with permission to file a fresh one is hereby accepted. Resultantly, suit in hand is dismissed as withdrawn with permission to file a fresh one subject to all legal limitations. File be consigned to Record Room, Orakzai after proper completion and compilation. **Announced** **02.11.2026** 02/11/26 **Noor Ul Haq,** Civil Judge-II, Tehsil Court Kalaya, Orakzai