

1. Parties Mr. Mawali Khan, Mr. Muqem Khan, Mr. Jan Muhammad and Mr. Mansoor Amin Present.

2. I have heard them in person, individually and gone through the available record. Perusal of record reveals that initially there was a Civil dispute between Mawali Khan and Jan Muhammad which was decided by then learned APA Dated: 09/04/2015 as per then prevailing Rewaje/Custom/Law.

3. Meanwhile one Mr, Mansoor Amin along with LRs of Nasrullah Khan (late) appealed against the Ibid Order, *being necessary party*, before the Court of learned Commissioner FCR Kohat Division. learned Commissioner FCR Kohat Division vide appeal No. 259/2016 Dated: 09/02/2017 made order and vide its order set aside the order of learned APA Dated: 09/04/015 and directed the Trial Court to refer the case to a fresh Jirga with consent of all parties after framing proper issues as required U/S 08 FCR.

4. As per direction of appeal Court then learned Trial Court (Court of learned APA) vide its order Date: 13/03/2019, stated that *"As per Rewaje Mawali Khan is (par). Case of Mawali Khan and Mansoor Khan cannot be continued in the Court*

Muhammads Intiaz
Civil Judge/JM-II
Orakzai at (Babar Mela)
05.09.19

Muhammads Intiaz
Civil Judge/JM-II
Orakzai at (Babar Mela)
Continued

Under Signed.....”

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5. From the Perusal of record, hearing the parties in person and as per above discussion, it is clear that case in hand is nothing but a past and closed transaction. Which does not require any interference form this Court. However, parties may approach to proper Forum for redressal of their grievance.

6. Hence, case in hand is hereby disposed of accordingly and case file be consigned to record room after necessary completion and compilation.

Announced
05/09/2019

Muhammad Imtiaz
Civil Judge/JM-II
Orakzai at (Babar Mele) 05-08-18
(M. Imtiaz)
Civil Judge/Judicial Magistrate-II,
Orakzai