

**Decree Sheet**

In the court of Rehmat Ullah wazir Civil Judge/JM-1 Orakzai at Baber Mela

Case No. 43/1 of 2019  
Date of Institution. 08-04-2019  
Date of Decision. 07/09/2019

**Zamindar khan chapri waziran.....1<sup>st</sup> Party( Plaintiff)**

**Vs**

**Imran Ullah Biland khel.....2<sup>nd</sup> Party(Defendant)**

**SUIT FOR RECOVERY OF MONEY****Judgement**


Case file received from the court of learned Senior Civil Judge. The crux of the case file is the instant suit for recovery of money of worth Rs.4,000,000/- with recovery expenses of Rs.1,000,000/- with total sum of Rs.5,000,000/-

The Counsel for the defendant drawn the attention of the court towards the fact that the dispute in question has arisen at UAE (United Arab Emirates) and the alleged outstanding amount is admittedly something the outcome of transaction which has taken place at UAE. That due to the place where the cause of action has arisen out is out of Pakistan, therefore, this court has got no jurisdiction to entertain the instant suit and the same may kindly be dismissed.

**Order**

In view of the aforesaid arguments of the counsel for the defendant, the case file was thoroughly Perused and then the Statement of plaintiff recorded today whereby plaintiff admitted that the transaction on the basis of which the instant suit was filed has taken place in UAE and also the same between his brother Namely Sadar Ayub, who is working as a driver in UAE and the defendant and not between the plaintiff and the defendant and that the plaintiff is cultivating lands here at the village. Thus, the whole of the aforesaid facts took me to the conclusion that the cause of action of the basis of each the instant suit has been filed and has not been arisen within the territory of Pakistan and thus this court has got no jurisdiction to carry on with instant suit. Over and above this it is an admitted fact that neither the plaintiff has paid the alleged money to the defendant nor he has been authorized by his brother namely Sadar Ayub to sue the defendant for the alleged outstanding amount. Therefore, the instant suit is not maintainable in this because of the lack of territorial jurisdiction, hence, the suit in hand is hereby summarily dismissed as per the amended rules of CPC. No order to cost.

File be consigned to the Record Room after its completion and Compilation.

  
**(Rehmat Ullah Wazir)**  
Civil Judge/JM-I,  
Orakzai at Baber Mela

Rehmat Ullah Wazir  
Civil Judge/JM-I  
Orakzai at (Babar Mela)