

Order No.9 21/09/2019

Both the parties present. Today the case was for attendance of defendants, wakalatnama and the statement of the claim of the plaintiffs. But the defendant brought the fact into the knowledge of the undersigned that the instant dispute between the parties is actually over the determination of the boundary between the District Orakzai and District Khyber. Perusal of case file reveals that the instant dispute is over the cutting of trees over a mountain situated over the border line of the District Orakzai and District Khyber between the tribe Ali Khel belonging to District Orakzai and tribe Adam Khel belonging to District Khyber. Many rounds of hearings between the parties have taken place before the then political administration in which jirgas have also been conducted and the jirgas have been given their own reports which are available on case file.


All the aforesaid facts clearly establish the fact that the instant dispute relates to boundary of the two districts and as per Section 117 of the West Pakistan Land Revenue Act, 1967, it is the jurisdiction of the Revenue Officer/ Revenue Court. Thus the instant court has got no jurisdiction to entertain the instant suit, therefore, the plaint in hand in the shape of an application is hereby returned to the plaintiffs for want of jurisdiction U/O VII Rule X CPC. No order as to costs.



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Moharrir of the court is directed to return the plaint in the shape of application in original to the plaintiffs and place the copy of the same on the record and then consigned the file after 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)**

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