

IN THE COURT OF MUHAMMAD AYAZ KHAN,
SENIOR CIVIL JUDGE, ORAKZAI AT BABER MELA

Order
11/02/2020

Petitioner namely Syed Farhat Abbas present.

Record received. Argument heard. Record perused.

Brief facts of the petition are that plaintiff Taj Ali Khan had filed a suit for declaration against the defendants, for correction of his date of birth, which was decreed on 29/11/2019, after due process of law. However, defendants have filed the instant application through representative namely Syed Farhat Abbas for the reasons mentioned in the said application.


MUHAMMAD AYAZ
Senior Civil Judge,
Orakzai at Hangu

Perusal of record reveals that in the decree, age of the plaintiff was corrected as 01.01.1958. Moreover, a summary judgement within the meaning of Order XV-A was announced on 29/11/2019. Now, petitioner requested for review of the judgement dated 29.11.2019 as after correction, the gape between the age of Taj Ali Khan (Decree Holder) with his daughter Sakeem Jana becomes 12 years which is unnatural and not appealable to any prudent mind. Today, the learned counsel for the respondent/decree holder agreed and has got no objection if the suit is rejected in circumstances.

Keeping in view the above facts, the application in hand is accepted the decree dated 29.11.2019 is hereby recalled. No order as to cost.

Case file be consigned to record room after compilation
and completion.

Announced
11/02/2020



(Muhammad Ayaz Khan),
Senior Civil Judge,
Orakzai at Baber Mela