

Order-32
21/12/2020

Plaintiff present through counsel.

Defendant No.1 present in person and on behalf of 3 to 5.

Amended plaint not submitted. Counsel for the plaintiff submitted an application for adjournment and sought further time for the submission of amended plaint.

Perusal of the record reveals that vide order dated: 03.10.2020 plaintiff was directed to implead all the owners in disputed property, being necessary parties in the instant suit and submit amended plaint but he failed to submit the amended plaint. Record depicts that 06 opportunities have already been provided to the plaintiff for submission of amended plaint but he failed to comply with the directions of court and today submitted an application for adjournment but no plausible reason has been mentioned in the application, hence, further adjournment is not justified, so the request for adjournment is turned down. In attending circumstances court is left with no option but to exercise power under order-17 rule-3 CPC. By exercising such a power, the suit of plaintiff is dismissed for non-compliance of directions of the court. No order as to cost.

File be consigned to record room after its necessary completion and compilation.

Order announced
21-12-2020

FARSIANULLAH
Senior Civil Judge
Orakzai at Baber Mela
Farman Ullah
Senior Civil Judge,
Orakzai at Baber Mela.