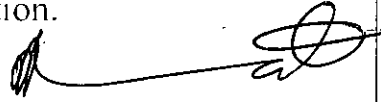


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COURT OF SENIOR CIVIL JUDGE, ORAKZAI AT BABER MELA

Case Title: _____ VS _____

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order No 09	24.05.2023	<p>Parties along with their counsel present.</p> <p>Arguments of the counsel for the petitioners heard.</p> <p>Through my this single order, I intend to dispose off an application for setting aside ex-parte decree in the suit file No. 43/1, titled as "Malak Bahadur Khan Vs Zyarat Gul etc" decided on 10.11.2022, filed by the petitioners against the respondents.</p> <p>Arguments heard and record perused.</p> <p>After hearing of arguments and perusal of the record, I am of the opinion that the present petitioners were placed and proceeded ex-parte vide Order No. 10, Dated: 16.03.2022 after proper service. Then the present respondents were directed to produce their ex-parte evidence, who accordingly produced the same and finally, the said case was ex-parte decreed in favour of the present respondents, and against the present petitioners on 10.11.2022 through issue wise findings. The petitioners kept mum till 21.01.2023 i.e after the lapse of 02 months and 11 days approximately, despite having clear knowledge of the pendency of the suit. Thus, according to Article # 164 of the Limitation Act, 1908, the present petition has been filed after the lapse of 30 days of the ex-parte decree, therefore, the same is badly time barred, hence, dismissed with costs.</p> <p>File be consigned to the record room after its necessary completion and compilation.</p> <p><u>Announced</u> 24.05.2023</p> <p> (Rehmat Ullah Wazir) Senior Civil Judge, Orakzai (at Baber Mela)</p>