

Presence as before. Through my this single order, I intend to dispose off an application for the stay of suit u/s 10 CPC, 1908, file by the defendants against the plaintiff.

This application was strongly contested by the other party by filing replication and forwarding arguments thereto.

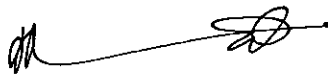
Arguments heard and record perused.

After hearing of arguments and perusal of the record, I am of the opinion that the instant suit has been filed on 10.03.2020 while the *suit bearing no. 23/1, titled as "Suleman Vs Rasheed Khan etc"* has been filed on 19.02.2020, meaning thereby that the instant suit has been filed after the institution of the aforesaid suit. The plaintiff of the instant suit has got himself impleaded as defendant no. 09 in that very suit. The matter in issue in both the suits is directly and substantially one and the same. The parties of both the suits are litigating under the same title. Thus, in order to secure the ends of justice and to prevent the abuse of process of the court, the instant application is **accepted** and the suit in hand is hereby **stayed/Sine die Adjourned**. No order as to costs.

The instant suit may be restored whenever it is necessary and required by law. Copy of this order be placed on the suit file no. *23/1, titled as "Suleman Vs Rasheed etc"* for record.

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

Announced
16.12.2020


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