

Or.....08
16.12.2020

Plaintiff in person present and submitted wakatlat nama of the one Jabbir Hussain advocate, who also appeared in person. The defendants have already been proceeded ex-parte.

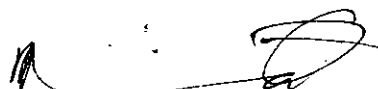
The counsel for the plaintiff submitted an application for the withdrawal of instant suit with permission to file a fresh suit by reason of some formal defect in the plaint.

Arguments heard and record perused.

After hearing of arguments and perusal of the record, I am of the opinion as the instant suit is in its very initial stages and the defendants have already been proceeded ex-parte. It is a settled principle of law and guidance in the plethora of judgments of the superior courts that all the relevant and necessary facts must be brought before the court for the settlement of the issue once for all and none should be deprived of his rights due to any formal defect in his pleadings which does not affect the merits of the case. Thus, there exist a formal defect in the plaint of the plaintiffs, therefore, the application in hand is accepted and the suit of the plaintiffs is dismissed as withdrawn with permission to file a fresh suit. No order as to costs.

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

Announced
16.12.2020


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