

20

IN THE COURT OF FARMAN ULLAH,
SENIOR CIVIL JUDGE/JUDGE FAMILY COURT, ORAKZAI AT BABER MELA

Civil Suit No. 5/3 of 2020
Date of Institution: 19/11/2020
Date of Decision: 23/02/2021

Muhammad Satar s/o Sakhi Badshah (Plaintiff)
Resident of Ghundakay, Caste Mala Khel, Sub Caste Char Khela, Tehsil Upper, District Orakzai.

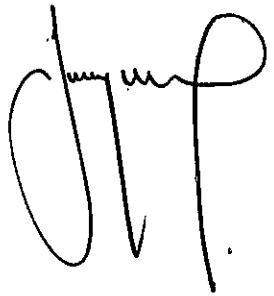
Versus

1. Khadeeja d/o Hameed Ullah Khan
2. Hameed Ullah Khan (Defendants)
Residents of (caste Rabia Khel District Orakzai)

SUIT FOR RESTITUTION OF CONJUGAL REIGHTS

Ex-Parte Judgement
23.02.2021

Brief facts of case in hand are that the plaintiff, **Muhammad Satar s/o Hameed Ullah Khan**, has filed the instant suit for restitution of conjugal rights to the effect that the Nikah of plaintiff and defendant No.1 was solemnized 16 years ago in lieu of 03 Tolas gold, which was paid to the plaintiff at the time of Rukhsati while Rs. 80,000/- were also given to the defendant No.2 as an expenses of marriage ceremony. That after Nikah of plaintiff and defendant No.1, three children were born. That the attitude of plaintiff towards defendant No.1 always remained kind but defendant No.1 left the house of plaintiff on the pretext to meet her family members and also took the gold ornaments and other articles, however, children remained in the house of plaintiff. But thereafter, defendant No.1 did not return inspite of repeated efforts by the plaintiff through elders of locality. That defendant No.1 was repeatedly



23.2.2021

FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela

asked to come back and perform her marital obligations but she refused. Hence, instant case.

Defendants were summoned but summon through ordinary means could not be affected on them, hence, they were summoned through publication in newspaper "Daily Ausaf". Publication received but defendants could not appear before the court. Hence, they were proceeded ex-parte vide order dated: 03.02.2021. Thereafter, ex-parte evidence of plaintiff was recorded as PW-1 and PW-2.

Ex-parte arguments heard and record gone through.

Ex-parte evidence produced by the plaintiff supports his contention and there is nothing in rebuttal. Hence, the suit of plaintiff is ex-parte decreed against defendant No.1 as prayed for. No order as to cost.

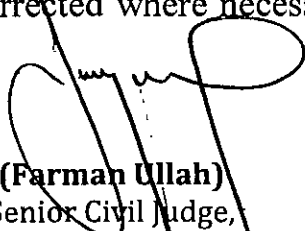
File be consigned to record room after completion and compilation.

Announced
23.02.2021


(Farman Ullah)
Senior Civil Judge,
Orakzai (at Baber Mela).
FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela

CERTIFICATE

Certified that this judgment of mine including this page consists of 02 (two) pages, each page has been checked, corrected where necessary and signed by me.


(Farman Ullah)
Senior Civil Judge,
Orakzai (at Baber Mela).
FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela