

Order...07

11.07.2023


Present:

Decree Holder in person.

Judgment Debtor in person.

Counsel for the Judgment Debtor argued an application for assistance of police official for refurbishing of disputed property while Decree Holder requested for adjournment due to non-availability of his counsel. Adjourned Granted.

File to come up for arguments on an application for assistance of police official for refurbishing of disputed property by the Decree Holder on 17.07.2023.


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

Order...08

17.07.2023


Present:

Decree Holder in person alongwith counsel.

Judgement Debtor in person alongwith counsel.

1. This order will dispose of the instant execution petition alongwith an application for assistance of police filed by the petitioner/Decree Holder.
2. Brief facts of the instant petition are that the petitioner/decree holder has filed execution petition based on Order/Decree dated 27.10.2022 in which consent decree for specific performance of contract was passed based on compromise between the parties.
3. Respondent was summoned who appeared before the court and submitted reply of instant petition. Respondent in his written reply admitted his readiness to perform his contractual obligation and honour

(Continued...)


Sami Ullah
Civil Judge/JM-I
Orakzai at (Babar Mela)

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specific performance of the contract. Moreover, respondent namely Muhammad Sahib recorded his statement before the court that he has no objection if the petitioner wants to construct school building as per their contract and he is ready to fulfill his contractual obligations.

4. During the pendency of the instant petition, the petitioner also submitted an application for assistance of police if ever needed while construction of school building according to the contract. The petitioner contended that the respondent is not allowing construction on the property.
5. Arguments on the petition and the aforementioned application heard and record perused.
6. This court is of the view after keeping in consideration the facts, pleadings, statement of the judgement debtor/respondent and arguments of the learned counsels that the instant petition stands disposed of, after assurance of the judgement debtor regarding smooth running of partnership in the school in question. Moreover, petitioner is at liberty to avail police assistance if needed for peaceful construction activities according to their contract. Police is directed to provide assistance, if even needed, while the petitioner construct/refurbish building for establishment of the school.
7. File be consigned to record room after its necessary completion and compilation.

Announced
17.07.2023

Sami Ullah
Sami Ullah
Civil Judge-I,
Orakzai at Baber Mela.