

Order...33  
Continued.  
27.07.2023

produce all the witnesses on next date positively, otherwise, his right of evidence will be struck off.

File to come up for evidence of the plaintiff on 07.09.2023.

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

Order...34  
07.09.2023

Present:

Plaintiff through counsel.

Defendant in person.

PWs absent.

Today the case was fixed for evidence of plaintiff but counsel for the plaintiff requested for adjournment due to absence of the plaintiff.

Perusal of case file transpires that sufficient opportunities have been provided to the plaintiff for production of evidence but he has failed to do the same.

Furthermore, after grant of the above stated opportunities for production of witnesses, Notice Under Order 17 Rule 3 CPC was given to the plaintiff on 14.01.2023. The said Notice was extended on eight counts but the plaintiff failed to produce his witnesses.

Final opportunity was granted to the plaintiff for production of his witnesses on previous date but the same has not been produced today. Therefore, the plaintiff lost his right of evidence due to non-compliance of order 17 Rule 3 CPC.

Thus, in these circumstances the suit of the plaintiff is hereby **Dismissed** for non-production of evidence and non-compliance of Notice U/O 17 Rule 3 CPC.

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

Announced  
07.09.2023

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