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Case Title: Sajda VS Chairman Nadra.

Or:.....08
27.05.2021

Plaintiff through her counsel present. Defendants no. 02, 03, 04 & 05 through their representatives present. The counsel for the plaintiff submitted, an application for withdrawal of the instant suit with permission to file a fresh suit on the ground of some formal defect.

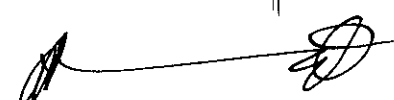
The counsel for the defendants recorded no objection on the overleaf of the application.

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 summary judgment proceedings. 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 rights¹ 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plaint of the plaintiff, therefore, the application in hand is accepted and the suit of the plaintiff is dismissed as withdrawn with permission to file a fresh suit. No order as to cost.

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

Announced
27.05.2021.


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