


(7)

01-06
26/05/2021

Parties present.

Proceedings are adjourned due to
rush work of MTMC.

File is to come up for the aforesaid
proceedings on 24/06/2021


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

Or.....08
28.05.2021


Case file requisitioned upon the application of the counsel for the plaintiffs, who also submitted an application for withdrawal of the instant suit with permission to file a fresh suit on the ground of some formal defect. In this context, statement of counsel for the plaintiffs recorded and his wakalat nama is exhibited as Ex.PA.

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 as the written statement has not been yet submitted. 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 effect 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plaint of the plaintiffs, therefore, the application in hand is accepted and the suit of the plaintiffs is dismissed as withdrawn with permission to file a fresh suit.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 cost.

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

Announced
28.05.2021


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