

Or.....08
17.07.2021

Parties along with counsel present. The one Jabir Hussain Advocate submitted wakalatnama on behalf of the defendants.

To my this single order, I intend to decide the maintainability of the instant suit in the light of the provisions of West Pakistan Land Revenue Act, 1967.

Arguments heard and record perused.

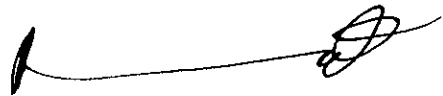
After hearing of arguments and perusal of the record I am of the opinion that it is an admitted fact by both the plaintiffs and their counsel that the matter in issue pertains to the boundaries of 02 districts, i.e. District Khyber and District Orakzai and according to Section 117 of the West Pakistan Land Revenue Act, 1967, it is the job of the Revenue Officer/Revenue Court to determine such boundaries and the jurisdiction of the Civil Court in such matters is expressly barred by the Section 172 of the West Pakistan Land Revenue Act, 1967.

Thus, in the light of aforesaid findings, the suit in hand is not maintainable in the instant court, therefore, the plaint is hereby returned to the plaintiffs U/O 7 R 10 CPC.

Furthermore, in the present circumstances, the application for sine die adjournment filed by the plaintiffs became automatically infructuous.

The Moharrir of the court is directed to consign the instant file after return of the plaint to the plaintiffs in original against a valid receipt and place the copy of the same on record after necessary entries in the relevant register.

Announced
17.07.2021


(Rehmat Ullah Wazir)
Civil Judge-I,
Camp Court Kalaya, Orakzai
REHMAT ULLAH WAZIR
CIVIL JUDGE/JM-1
CAMP COURT
KALAYA ORAKZAI