

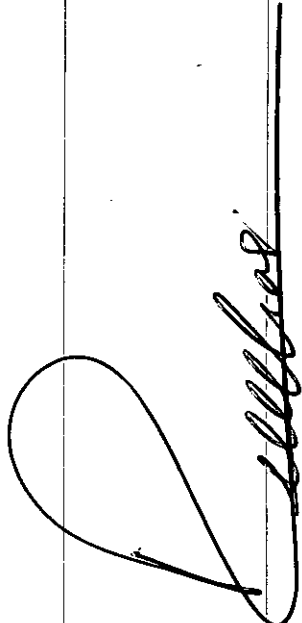
FORM "A"

FORM OF ORDER SHEET

IN THE COURT OF SYED ABBAS BUKHARI, CIVIL JUDGE/JUDICIAL MAGISTRATE/CJ-II, KALAYA ORAKZAI

Case Title: *Ahmad Ali etc vs Waheed Ali etc*

Serial No of order or proceedings 1	Date of Order Proceedings 2	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary 3
Or-----08	26.10.2023	<p>Parties present.</p> <p>Vide this order I intend to dispose of instant application for grant of temporary injunction filed by plaintiffs, hereinafter referred as the petitioner.</p> <p>Arguments already heard and record perused.</p> <p>Now on perusal of the record and valuable assistances of both the learned counsels for the parties, this court is of the humble view that petitioners through instant suit allege that parties belong to Ramdani Family and few years back a dispute broke up between parties to the suit and accordingly a Jirga was convened regarding said dispute. They further allege that as per verdict of Jirga the suit property was partitioned amongst all the co-sharers as per their due share. However now the respondent no.1 has started interference with the suit property measuring 32 Marla, which was given to the petitioners in light of the Jirga verdict. They further allege that suit property has been named as plot no.1 on page no.07 of the Jirga verdict. Contrary to this the respondents no. 01, 04, 05 and 07 allege that respondent no.01 has given his conditional consent to Jirga members that prior to any decision his opinion must be given consideration. They further allege that said Jirga verdict was not accepted by them from the very beginning and thus same is liable to be cancelled. They further allege that Ramdani Family consist upon four major families, as their forefathers were four in number and thus the suit property was supposed to be partitioned in four portions while the Jirga partitioned the same in eleven parts, which is illegal and void.</p> <p>In given circumstances, this court is of the view that both</p>



26.10.2023
SYED ABBAS BUKHARI
 Civil Judge/JM-II
 Tehsil Courts Kalaya

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FORM "A"

FORM OF ORDER SHEET

IN THE COURT OF SYED ABBAS BUKHARI, CIVIL JUDGE/JUDICIAL MAGISTRATE/CI-II, KALAYA ORAKZAI

Case Title:

Afroz Ali etc

Vs

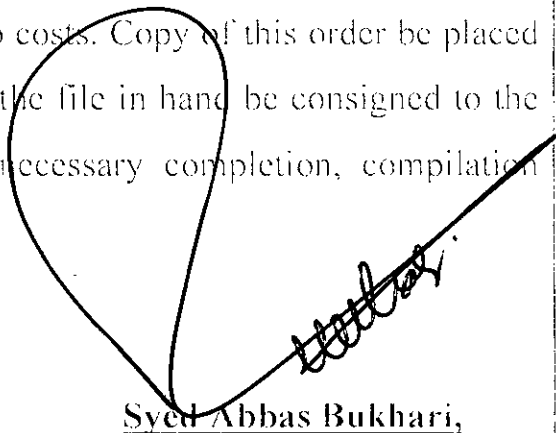
Wahced Ali etc

the parties to the suit admit that previously a Jirga was convened for the partition of Ramdani Family and further they also admit that Jirga verdict dated: 20.04.2020 was also scribed by the Jirga members. In given circumstances, this court is of the humble view that if in case the respondent no. 01, 04, 05 and 07 had got any objection over the Jirga verdict, why they remain silent since 20.04.2020, the date on which the Jirga verdict was scribed. Furthermore, presently petitioners have annexed Jirga verdict with their plaint and thus a prima facie case exist in their favour. Furthermore, it would be decided after recording of pro and contra evidence that how many shares forefathers Ramdani family had and whether the suit property is to be partitioned in four portions or eleven.

In light of above discussion, the instant application for grant of temporary injunction filed by plaintiff is hereby **allowed** and temporary injunction for the statutory period of 06 months or till disposal of the instant suit, whichever is earlier, is hereby granted in favor of plaintiffs and defendants are hereby directed to refrain from further alienation of the suit property through any mode of transfer and further to refrain from interfering with the suit property. No order as to costs. Copy of this order be placed on main suit file while the file in hand be consigned to the record room after its necessary completion, compilation and scanning.

Announced

26.10.2023


Syed Abbas Bukhari,
Civil Judge-II,
Tehsil Court Kalaya, Orakzai