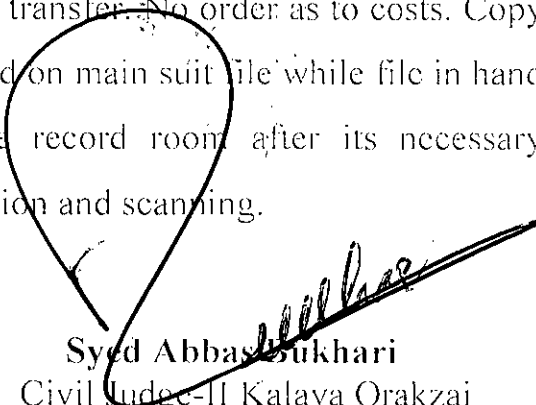


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**FORM "A"**  
**FORM OF ORDER SHEET**

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

Serial No. of Order of Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of Parties or Counsel where necessary.
1	2	3
<p>Order No. 09</p>	<p>21/11/2023</p> <p><i>Handwritten signature</i></p> <p><b>21-11-2023</b> <b>SYED ABBAS BUKHARI</b> Civil Judge/Judicial Magistrate Tehsil Courts Kalaya</p>	<p>Parties alongwith counsels present.</p> <p>Vide this order I intend to dispose of instant application for grant of temporary injunction filed by plaintiffs, hereinafter referred as petitioners.</p> <p>Arguments already heard and record perused.</p> <p>Now on perusal of the record and valuable assistance of both the learned counsels for the parties, this court is of the considered view that petitioners had alleged that suit property, being their ancestral property, is joint ownership of parties to the suit and thus the respondents have got no right to grab the same forcefully. Contrary to this respondent no.1 had alleged that the legacy of deceased Muzamil Shah was previously partitioned amongst his legal heirs/parties to the suit and thus suit property is sole ownership of respondent no.1. furthermore, respondent no.1 had also annexed affidavits of sons of defendant no.03 and no.04, with his written statement. Perusal of said affidavits it has been noticed that the deponents have deposed therein that the suit property is the sole ownership of respondent no.1. It is also worth mentioning here that in Para no.03 of the plaint, petitioners have themselves admitted that some portion of suit property was previously partitioned, which otherwise support the stance of respondent no.01 regarding previous partition of the legacy of deceased Muzamil Shah. In given circumstances, this court is of the humble view that the respective stance of both the</p>

Serial No. of Order of Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of Parties or Counsel where necessary.
Continued Order---09	21.11.2023	<p>parties to the suit is subject to proof after recording of pro and contra evidence and at this stage it is not possible for this court to rely upon the stance of any one of the parties in light of the available record. Hence this court, in order to preserve the suit property during pendency of suit from further alienation, deem it appropriate to allow the instant application.</p> <p>In light of the above discussion, the application in hand for grant of temporary injunction is hereby allowed and temporary injunction for the statutory period of six months or till disposal of instant suit, whichever is earlier, is hereby granted in favour of petitioners only to the extent of further alienation and respondents are hereby directed not to further alienate the suit property through any mode of transfer. No order as to costs. Copy of this order be placed on main suit file while file in hand be consigned to the record room after its necessary completion, compilation and scanning.</p> <p><b>Announced</b> 21.11.2023</p> <p style="text-align: right;">   <b>Syed Abbas Bukhari</b>            Civil Judge-II Kalaya Orakzai         </p>