

22
Noor Abbas Khan Vs Akbar Khan

Order...35
16.11.2023


Present:

Plaintiff in person along with counsel.

Defendant in person along with counsel.

Today the case was fixed for final arguments but both the counsel requested for adjournment. Adjournment granted.

File to come up for final arguments on **23.11.2023**.


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

Order...36
23.11.2023


Present:

Plaintiff in person along with counsel.

Defendant in person along with counsel.

Today the case was fixed for final arguments but both the counsel requested for adjournment. Adjournment granted.

File to come up for final arguments on **30.11.2023**.


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

Order...37
30.11.2023

Present:

Plaintiff in person alongwith counsel.

Defendant in person alongwith counsel.

Today the case was fixed for final arguments on the instant suit but counsel for the plaintiff filed an application for withdrawal of the instant suit with permission to file a fresh one due to formal defect and inadvertent mistake in the pleadings. Counsel of defendant submitted reply of the said application. Arguments heard on the instant application from both the counsel of the parties. (Continued...)




Order...37.
Continued.
30.11.2023

Perusal of the pleadings transpires that the suit property was not clearly mentioned in the plaint and relief claimed are ambiguous. Moreover, necessary parties are also not impleaded in the plaint.

After hearing of arguments and perusal of record, this court is of the view that safeguard the rights of the plaintiff and for bringing all the facts before the court for achieving the ultimate end of justice, the application in hand is **Accepted** and the suit of the plaintiff is dismissed as withdrawn with the permission to file a fresh suit. Cost to follow the event.

File be consigned to the Record Room after its completion and compilation.

Announced
30.11.2023


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