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Malak Bahadur etc Vs Zyarat Gul etc

Or.....16  
16.09.2021

Presence as before.

The counsel for the plaintiffs recorded no objection on the overleaf of the application for setting aside ex-parte proceedings, filed by the defendants no. 01 to 05, therefore, the application is accepted and the ex-parte proceedings initiated against the defendants no. 01 to 05 are hereby set aside.

The counsel for the defendants no. 01 to 05 submitted written statement and replication, which are placed on file.

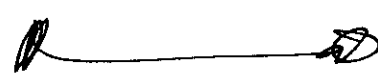
During arguments on temporary injunction application, it was revealed that the subject matter in issue i.e extension of the boundary wall due to upgradation/extension of the GGPS, Mandra Khela, Orakzai, in the present suit is also directly and substantially in issue in the *suit no. 122/1 Titled as "Muhammad Yasir etc Vs Provincial Government etc" instituted on 10.10.2020* while the present suit is instituted on 20.03.2021. The suit filed earlier is pending adjudication in this court. The parties in both the suits are almost the same. The instant suit is later in time.

Thus, in the light of the aforesaid facts and circumstances, the instant suit is hereby stayed u/s 10 read with sec. 151 CPC.

The instant suit can be restored after disposal of the *suit no. 122/1 Titled as "Muhammad Yasir etc Vs Provincial Government etc" instituted on 10.10.2020*.

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

Announced  
16.09.2021

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