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Shabir Ahmad Vs Naimat Ullah and others

**Order...04**

16.01.2024


Present:

Decree Holder in person.

Judgement Debtor absent.

Today the case was fixed for submission of reply of the instant petition by JDs but proceedings are adjourned due to absence of JDs. Perusal of case file transpires that summons were issued to the JDs on previous date but no one appeared on behalf of them till the closing hours of the court Thus, NBWA be issued against them for **23.01.2024**.

File to come up for submission of reply of the instant petition by JDs on the date already fixed.

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

**Order...05**

23.01.2024


Present:

Decree Holder in person.

Judgement Debtor No.1 in person and as attorney for rest of the JDs.

NBWA was issued against the JD No.1 on previous date, in this respect he submitted an application for cancellation of NBWA, the application is accepted and NBWA stands cancelled.

Today the case was fixed submission of reply on the instant petition by JDs but JD No.1 stated before the court that he has no objection on the Decree being passed against him as a defendant/JD No.1. JD No.1 further stated that plaintiff may remove the stones from the pathway and may construct the same as he deems fit within the specified boundary and existing pathway, subject to condition that wall of his house should not suffer any lose, in this respected JD No.1 recorded his statement which is placed on file. Copy of CNIC of JD No.1 is Ex.PA. (Continued...)


  
**SAMI ULLAH**  
Civil Judge/JM-I  
23 JAN 2024  
**Orakzai at Baber Mela**

Order...05  
Continued.  
23.01.2024

Moreover, Decree Holder also recorded his statement that the necessary repair and maintenance of the pathway will not affect the wall of house of the JDs and he is satisfied regarding the instant execution proceedings. Copy of his CNIC is Ex.PB.

Thus, keeping in view, the statements of JD No.1 and DH, the instant execution petition stands disposed of.

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

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