

Or-----03
15.03.2022

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Petitioners through counsel present. No one for the respondents present despite service, hence, placed and proceeded ex-parte.


Through my this single order, I intend to dispose off the instant petition ex-parte, filed by the petitioners against the respondents.

Ex-parte arguments heard and record perused.

After hearing of ex-parte arguments and perusal of the record, I am of the opinion that there is a decree Dated: 10.02.2021 in favour of the petitioners which is still intact. Thus, the DHs cannot be deprived of the fruit of decree just because they remained absent on a date of hearing in an execution petition. Therefore, in order to achieve the ultimate object of justice, the petition in hand is accepted and the execution petition titled as "Gul War Jan etc vs Piyao Shah etc" dismissed in default vide order, Dated: 07.01.2022 is hereby restored with no order as to costs.

Muharrir of the court is directed to consign the instant file while place the copy of this order on the execution petition and then restore the same in its original neem.

Announced
15.03.2022


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