


Civil Misc. Appeal No. 4/14 of 2022

Date of institution: 23.05.2022

Daud Shah Vs Naseem Khan etc.

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order	23/07/2022	<p>Appellant along with counsel are in attendance. Neither respondent nor his counsel put appearance despite repeated call with reasonable intervals.</p> <p>Mr. Zahoor ur Rehman Advocate representing appellants stated at the bar as the learned Trial Court has not disposed of the petition for grant of temporary injunction despite the fact that the contesting defendants have submitted written statement and reply. He concluded that if the directions of already disposal is being passed, the Civil Misc Appeal in hand may be treated dismissed as withdrawn.</p> <p>Perusal of case file reflects that the date of institution of original suit bearing No. 5/1 of 2022 has been instituted on 16-02-2022 and status quo has been granted on the very first date. The petition for temporary injunction has not been disposed of till 05-07-2022 due to transfer of the learned Presiding Officer and the Court was vacant. Now the vacancy has been filled and learned Judicial Officer has assumed the charge; therefore, it is in the fitness of things being closed to the principle of justice as well as scheme of law to expeditiously dispose of petition for injunction.</p> <p>In light of the above, instant Civil Misc Appeal stands dismissed as withdrawn with the direction to learned Trial Court to disposed of the pending petition for grant of injunction within short possible time but not later than 07 working days.</p> <p>File of this Court be consigned to District Record Room Orakzai after necessary completion within span allowed for. Record be returned to the quarter concerned.</p> <p><u>Announced in open Court</u></p> <p style="text-align: right;"> Sayed Fazal Wadood AD&SJ, Orakzai at Baber Mela</p>