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being unnatural is admitted fact and to address this question the approach of learned counsel for respondent is just based on supposition. The Judicial determination cannot be based on mere supposition and thus sustaining the decree in circumstances may easily be termed abuse of the process of law.

7. For what has been above, appeal stands allowed. Consequently, Judgement and Decree dated 06-12-2021, passed in Civil Suit bearing No. 02/1 of 2021 is reversed and case is remanded back with the directions to the Trial Court to club the suit of respondent with that of her daughter and son for its final determination afresh. It is further observed that, if the respondent fails to institute suit or had not opted for such institution, the appeal in hand shall be treated as allowed and the suit as dismissed for not being tenable in accordance with law. Costs shall follow the events. Requisitioned record be returned with copy of this Judgement; whereas, File of this Court be consigned to District Record Room, Orakzai as prescribed within span allowed for.

Announced in the open Court
15.03.2022

Sayed Fazal Wadood,
ADJ, Orakzai at Baber Mela

CERTIFICATE.

Certified that this Judgment is consisting upon three (03) pages; each of which has been signed by the undersigned after making necessary corrections therein and read over.

Sayed Fazal Wadood,
ADJ, Orakzai at Baber Mela

Office to report regarding pendency of the suit of the son/daughter of the plaintiff

جناب عالی!
ملاحظہ رہا کہ یہ بیان بیان
مذکورہ میں بیٹا/بیٹی کا کوئی مقدمہ
زیر سماعت عدالت میں نہیں ہے
لہذا رپورٹ عرض ہے۔

25.03.2022
REHMAT ULLAH WAZIR
CIVIL JUDGE/JM-1
CAMP COURT
KALAYA ORAKZAI

File is consigned
as per order of
Orakzai. 15.03.22