


(2)

**IN THE COURT OF REHMAT ULLAH WAZIR,  
SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA, HANGU**

Case Title: Azmat Khan VS DC Orakzai etc

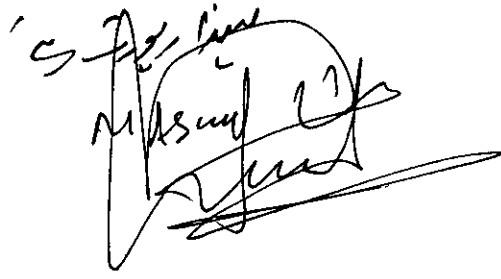
Or.....01  
29.06.2022

Fresh petition is submitted by the learned counsel for the petitioner to the undersigned. Be placed before the undersigned after scrutiny.

  
(Rehmat Ullah Wazir)  
Senior Civil Judge/JM,  
Orakzai (at Baber Mela)

جناب عالی!

پریشان کنہ اور دعوای مذکورہ بشکل موجود ایک حورق درندہ اسامہ برادر خان حکم امتناعاً دو اورانی چیتا، ایک حورق نقشہ بلہ سہیل کھرا الف رح



Or.....02  
29.06.2022

Counsel for petitioner present and verified the contents of the petition as true and correct. It be registered.

Perusal of case file reveals that the instant petition property is situated in Lower Sub Division, Orakzai and also both the private parties belong to the Lower Sub Division, Orakzai. The counsel for the petitioner was asked to argue the maintainability of the instant petition on the point of territorial jurisdiction, which he argued that as the DC, Orakzai has been made party to the instant petition that is why the present petition is legally required to be instituted at the Head Quarter.

Arguments heard and record perused.

After hearing of arguments and perusal of the record, I am of the opinion that though DC, Orakzai has been made party to the instant


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petition but no relief so far is sought against the DC, Orakzai rather he has been made party to the instant petition just to keep it pending before this court but as there are 02 civil courts established for the Lower and Central Sub Divisions of District Orakzai at Kalaya, manned by 02 Judicial Officers and are fully operational. Thus, instituting a petition at Head Quarter at Baber Mela just on the pretext of adding a government official in the column of respondents is not justified and the same against whom no relief is sought.

Therefore, in the light of the aforesaid findings, the petition of the petitioner is hereby returned U/O 7-R-10 CPC with directions to institute the same in the court of Civil Judge-I, Kalaya.

Muharrir of the court is directed to return the petition in original to the petitioner while consign the copy of the same to the record room after fulfilling of all the codal formalities.

**Announced**  
**29.06.2022**

  
(Rehmat Ullah Wazir)  
Senior Civil Judge/JM.  
Orakzai (at Baber Mela)