


**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 civil suit is submitted by the learned counsel for the plaintiff to the undersigned. Be placed before the undersigned after scrutiny.


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

جناب عالی! یہ نہال کاغذ نمہ دعویٰ عدا بہ عمل حیدر حد اوران عرض دعویٰ ایک ورفی نہیں ہے دستاویزات
دو اوران چیک و ریٹ ورفی نقشہ بلا سکیل اور حاکمات نامہ جو کہ درست اور صحیح طور پر
میرا لف سچ ہے۔ لیسٹ رپورٹ عرض ہے۔

Or.....02
29.06.2022

Counsel for plaintiff present and verified the contents of the plaint as true and correct. It be registered.

Perusal of case file reveals that the instant suit 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 plaintiff was asked to argue the maintainability of the instant suit on the point of territorial jurisdiction, which he argued that as the DC, Orakzai has been made party to the instant suit that is why the present suit 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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suit but no relief so far is sought against the DC, Orakzai rather he has been made party to the instant suit 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 suit at Head Quarter at Baber Mela just on the pretext of adding a government official in the column of defendants is not justified and the same against whom no relief is sought.

Therefore, in the light of the aforesaid findings, the plaint of the plaintiff 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 plaint in original to the plaintiff 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)
Senior Civil Judge,
Orakzai (at Baber Mela)