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**IN THE COURT OF ZAHIR KHAN**  
**CIVIL JUDGE-I, KALAYA, ORAKZAI**

Suit No.....26/1 OF 2021.

Date of Institution.....13.03.2021.

Date of Decision.....08.10.2022.

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Nadar Khan S/O Ghulam Qadar R/O Sangra, District Orakzai.  
.....(Plaintiff)

**VERSUS**

1. Abdul Khanan S/O Shah Jahan,
2. Noor Muhammad,
3. Asghar Khan,
4. Muzafar Khan and
5. Abdur Rehman sons of Mohabat Shah all R/O Sangra, District Orakzai.

.....(Defendants)

**SUIT FOR DECLARATION CUM PERMANENT INJUNCTION,**  
**POSSESSION AND RENDITION OF ACCOUNT.**


**ORDER/JUDGMENT**

**08.10.2022**

Plaintiff present. Defendant No.01 along with counsel present.

Elders/malak namely Siyal Khan present. Parties apprised the court that matter has been patched up between the parties through a jirga outside the court and requested for disposal of the suit on the basis of compromise accordingly.

Joint statement of plaintiff and defendant No. 1 separately recorded which is duly thumb impressed by them. Jirga member/malak namely Siyal Khan also thumb impressed the statement. Witness to the Jirga decision namely Hakeem Badshah also signed the same. Original Jirga verdict produced. Copy of Jirga


  
**ZAHIR KHAN**  
**Civil Judge**  
**Kalaya Orakzai**

verdict is Ex. PA. Copies of CNICs of plaintiff and defendant No. 1 are Ex. PB and Ex. PC. CNIC copies of jirga member and witness to the jirga decision also annexed with the statement. Original Jirga decision seen and returned after examination.

Brief facts of the case in hand are that plaintiff namely Nadar Khan has filed the instant suit against the defendants namely Abdul Khanan and four others for declaration cum permanent injunction, possession and rendition of account to the effect that suit property measuring 10 Marlas fully detailed in the head note of the plaint is the ancestral ownership of plaintiff which has been illegally and forcibly occupied by defendants in his absence as he migrated/shifted to District Hangu along with his family. That defendants have got no concern whatsoever with the suit property and that defendants were asked time and again to admit the legal claims of plaintiff but in vain, hence, the present suit.

With due process of law and procedure, defendants were summoned. Defendants appeared before the court but later on, defendants No. 2 to 5 remained absent, therefore, placed and proceeded against ex-parte vide order dated 12.04.2021. Defendant No. 1 contested the suit by filing written statement and reply.

Defendant raised several legal and factual objections in his written

  
**ZAHIR KHAN**  
Civil Judge  
Kalaya Orakzai

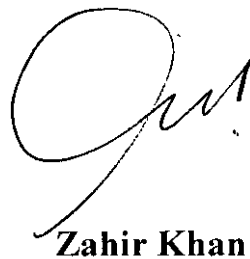
Today, parties stated at the bar that the matter has been patched up between the parties outside the court through Jirga verdict. Joint

statement of the parties recorded wherein they reiterated that they have affected compromise as per terms and conditions duly mentioned in the Jirga decision. Joint statement of plaintiff and defendant No. 1 was separately recorded which is duly thumb impressed by them. Jirga member/malak namely Siyal Khan also thumb impressed the statement. Witness to the Jirga decision namely Hakeem Badshah also signed the same. Original Jirga verdict produced. Copy of Jirga verdict is Ex. PA. Copies of CNICs of plaintiff and defendant No. 1 are Ex. PB and Ex. PC. CNIC copies of jirga member and witness to the jirga decision also annexed with the statement. Original Jirga decision seen and returned after examination.

As the matter has been patched up between plaintiff and defendant No. 1 through Jirga decision as per terms and conditions duly mentioned in the Jirga verdict exhibited as Ex-PA and parties are no more at issue, therefore, suit in hand is hereby decreed on the basis of compromise between the parties accordingly. Suit of plaintiff is ex-parte decreed against defendant No. 2 to 5 as prayed for. No order as to cost.

File be consigned to record room after its necessary completion and compilation.

**ANNOUNCED**  
**08.10.2022**



**Zahir Khan**  
Civil Judge-I, Kalaya, Orakzai