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**IN THE COURT OF ZAHIR KHAN,
Civil Judge-I, Kalaya, Orakzai.**

Suit No.....104/1 of 2020.

Date of Institution..... 16.05.2020.

Date of decision.....29.11.2022.

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1. Saeed Ullah S/O Abdul Malik,
2. Khaista Mir S/O Niaz Mir (deceased),
 - a. Khyal Jana Bibi, Widow
 - b. Muhammad Tariq, Son
 - c. Irfan Ullah, Son
 - d. Jahanzeb, Son
 - e. Khan Ullah, Son
 - f. Khalo Bibi, Daughter
 - g. Nasheeda Bibi, Daughter of deceased plaintiff No. 2 namely Khaista Mir
3. Faheem Khan S/O Khaista Mir,
4. Khwaja Mat Khan S/O Syed Rehman and
5. Mirast Khan S/O Sinjab Khan all residents of Qaum Mishti, Tappa Mamizi, Village Kanranaye, Tehsil Central, District Orakzai.

..... (Plaintiffs)

Versus

1. Musa Khan S/O Shehzada,
2. Mina Bat Khan S/O Hakeem Khan and
3. Wasil Khan S/O Muhammad Akbar all residents of Qaum Mishti, Tappa Mamizi, Village Kanranaye, Tehsil Central, District Orakzai.

..... (Defendants)

SUIT FOR DECLARATION & PERMANENT INJUNCTION.

ZM
ZAHIR KHAN
Civil Judge JM
Kalaya Orakzai

29/11/22

Order
29.11.2022

Plaintiffs absent. Defendant No. 3 namely Wasil Akbar for himself and as special attorney for defendant No. 1 & No. 2 present. Today, case was fixed for arguments on application for temporary injunction but defendant No. 3/special attorney stated that the suit property is not disputed one. Defendants are not denying ownership and possession of plaintiffs over the suit property. He further stated that if suit of plaintiffs is decreed in their favour, he has got no objection. Statement of Wasil Akbar separately recorded which is duly signed and thumb impressed by him. Copy of his CNIC is Ex. PA. Special power of attorney is Ex. PB.

Brief facts in the backdrop are that plaintiffs have filed the instant suit against the defendants for declaration and permanent injunction to the effect that the suit property in shape of fields fully detailed in the head note of plaint is the ancestral ownership of the plaintiffs and that defendants have got no concern whatsoever with the same. That defendants are denying ownership of plaintiffs and they are interfering in their possession which is wrong, illegal and ineffective upon the rights of plaintiffs and that defendants were asked

time and again to admit the legal claim of plaintiffs but in vain hence, the

present suit.

29/11/022

After institution of the suit, with due process of law and procedure, the defendants were summoned, they appeared before the court and submitted written statement and reply.


ZAHIR KHAN
Civil Judge JM
Kalaya Ora

Today, defendant No. 3 namely Wasil Akbar who is special attorney for rest of the defendants stated at the bar that the suit property is not disputed one. Defendants are not denying ownership and possession of plaintiffs. He further stated that if suit of plaintiffs is decreed in their favour, he has got no objection. Statement of Wasil Akbar separately recorded which is duly signed and thumb impressed by him. Copy of his CNIC is Ex. PA. Special power of attorney is Ex. PB.

As defendants admitted the claim of plaintiffs, therefore, consent decree is hereby passed in favor of plaintiffs against the defendants as prayed for. No order as to cost. This decree shall not affect rights of any other person interested, if any.

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

Announced
29.11.2022



Zahir Khan
Civil Judge-I, Kalaya Orakzai