

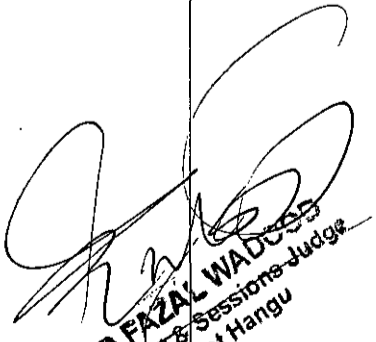
IN THE COURT OF ADDITIONAL DISTRICT JUDGE ORAKZAI, AT BABAR MELA

Civil Misc. Appeal No. 10/14 of 2022

Date of institution: 09.09.2022

Sayed Hassan Jan etc. Vs Moin Hassan etc.


| Serial No of order or proceedings | Date of Order Proceedings | Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary |
|-----------------------------------|---------------------------|--|
| 1 | 2 | 3 |
| Order-04 | 12/10/2022 | <p>Appellants through attorney Sayed Khalil along with Adnan Afridi Advocte and Attorney for respondents namely Zahir Khan along with Mr. Sana Ullah Advocate are in attendance. Arguments have been heard; whereas, this is the disposal of captioned Civil Misc. Appeal.</p> <p>2. This Miscellaneous Civil Appeal calls in question the validity and propriety of the Order dated 31.08.2022, passed by learned Civil Judge-I, Kalaya, Orakzai, in Civil Suit bearing No.69/1 of 2020; whereby, the learned Trial Court has accepted application for grant of temporary injunction of plaintiffs and turned down the petition for rejection of plaint.</p> <p>3. The brief facts of the suit pending trial in the Civil Court are such that ownership and possession of landed property situated at Baboo Danga, Lower Orakzai is apple of discard between the parties. The petition for grant of injunction has been accepted and that of rejection of plaint was turned down against which defendants as appellants are before this Court in appeal.</p> <p>4. Mr. Adnan Afridi Advocate representing Appellants stated at the bar that he is not pressing appeal to the extent of rejection of plaint and want to argue the matter of opposing grant of temporary injunction.</p> <p>5. Parties before the Court have recorded joint statement on oath that both of them will not enter into transaction of sale, mortgage, lease or any other transfer till the disposal of suit pending in the learned Trial Court. Counsel representing parties had requested to dispose of the pending appeal accordingly.</p> |


SAYED FAZAL WADOOD
 Addl. District & Sessions Judge
 Orakzai at Hangu

6. In the light of above discussed facts and circumstances of the case followed by mutual consent of the parties pen downed in black & white and without touching merits of the case, this Court holds that both the parties will abide by the contents of the joint statement recorded on oath for preserving status quo in accordance with the law.

7. Instant Civil Miscellaneous appeal is disposed of accordingly. Requisitioned record be returned with the copy of this Order while file of this Court be consigned to the District Record Room Orakzai after completion and compilation, within the span allowed for.

Announced in open Court


Sayed Fazal Wadood,
AD&SJ, Orakzai at Baber Mela