

**Order...04**

10.10.2022

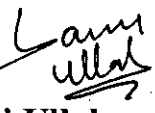
**Present:**

Petitioner through legal advisor.

Respondent in person alongwith counsel.

Respondent submitted reply which is placed on file.

File be put up for arguments on **17.10.2022**.

  
**Sami Ullah**  
Civil Judge-I,  
Orakzai (at Baber Mela)

**Order...05**

17.10.2022

Parties present. Through my this single order I intend to dispose off an application for setting aside an ex-parte decree Dated: 19.09.2022, filed by the petitioner against the respondent.

This application was strongly contested by the other party by filing replication and forwarding arguments thereto.


Arguments heard and record perused.

After hearing of arguments and perusal of the record, I am of the opinion that Article 164 of Limitation Act 1908 is applicable to application for setting aside ex-parte decree and the prescribed period of limitation is 30 days which starts running from the date of decree and since the instant application is well within time hence, Resultantly, petition in hand is hereby accepted and ex-parte decree dated: 19/09/2020 is set aside. Suit No. 20/1 is restored. Muharrir is directed to do the needful. The instant file be consigned to record room. Copy of this order be placed on main file of suit No. 20/1.

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

**Announced**

17.10.2022

  
**Sami Ullah**  
Civil Judge-I  
Orakzai (at Baber Mela)