

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

Petition No 25/6 of 2022.

Date of Institution20.09.2022.

Dated of Decision03.10.2022.

1. Assistant Director, NADRA, District Orakzai
2. Assistant Director, NADRA, Islamabad, through representative.

.....(*Petitioners*)Versus

Mohib Ali S/O Khair Ali, R/O Qaum bar Muhammad Khel, Tappa Alat Khel,
Tehsil Lower, District Orakzai.

.....(*Respondent*)

PETITION FOR SETTING ASIDE EX-PARTE DECREE DATED 01.07.2022
PASSED IN SUIT NO. 9/1 OF 2022.

ORDER No.03

03.10.2022

Representative of petitioners/Judgement debtors present.

Respondent/Decree holder along with Mr. Abid Ali Advocate present.

Wakaltnama submitted. Record received.

Learned counsel for respondent/decree holder marked his no
objection on the acceptance of application for setting aside ex-parte
decree. Arguments heard and record perused.

Brief facts of the case are that petitioners have filed the instant
petition for setting aside ex-parte decree dated 01.07.2022 passed in suit



03/10/2022

ZAHIR KHAN No. 9/1 of 2022.
Civil Judge/JM
Kalaya Orakzai

Petitioners have contended that suit No. 9/1 of 2022 was filed against them by present respondent and the same was ex-parte decreed vide ex-parte order dated:01.07.2022. That petitioners were proceeded against ex-parte due to non-appearance before the court. That petitioners be given an opportunity to defend their valuable rights. That when petitioners got knowledge of ex-parte decree, they approached this court for setting aside ex-parte decree passed against them.

Counsel for respondent/decreed holder marked no objection on the acceptance of application for setting aside ex-parte decree against the petitioners, resultantly, petition allowed and ex-parte decree dated 01.07.2022 passed in suit 9/1 of 2022 is hereby set aside. No order as to cost. Suit No. 9/1 is restored. Moharrir 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. 9/1.

Announced
03.10.2022



ZAHIR KHAN
Civil Judge-I, Kalaya, Orakzai