

38

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

Suit No.....5/1 OF 2020.
Date of Original Institution.....11.12.2020.
Date of Present Institution.....18.06.2021.
Date of Decision.....10.10.2022.
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Mir Jan Shah S/O Mirak Shah, R/O Qaum Mishti, Tappa Mamizai,
Village Kadiye, Tehsil Lower District Orakzai.
.....(*Plaintiff*)

VERSUS

1. Inam Shah S/O Kameen Shah,
2. Shakir Badshah S/O Zarghoon Shah,
3. Muhammad Ameen S/O Syed Ameen,
4. Khyal Man Sher S/O Jaman Sher,
5. Ameen Khan S/O Hameed Khan,
6. Ahmad S/O Qatal Baz,
7. Masleh Khan S/O Socha Gul and
8. Habib Rehman S/O Sardar Khan all residents of Qaum Mishti, Tappa Mamizai, Village Kadiye, Tehsil Lower District Orakzai Orakzai.
.....(*Defendants*)

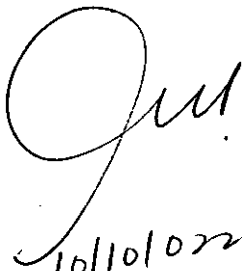
SUIT FOR DECLARATION AND PERMANENT INJUNCTION.

ORDER/JUDGMENT

10.10.2022

Plaintiff along with counsel present. Defendant No. 01 for himself and special attorney for remaining defendants along with counsel present. Application for setting aside ex-parte proceedings submitted by learned counsel for defendants. Learned counsel for respondents marked his no objection on the acceptance of application.

Resultantly, application is allowed and ex-parte proceedings against defendants are set aside.


10/10/2022
ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

88

Parties apprised the court that matter has been patched up between the parties through a compromise outside the court and requested for disposal of the suit on the basis of compromise accordingly.

Joint statement of plaintiff and defendant No. 1/special attorney separately recorded which is duly thumb impressed by them. Original compromise deed produced. Copy of CNIC of plaintiff is Ex. PA. Copy of CNIC of defendant No. 1 is Ex. PB. Special power of attorney is Ex. PC and copy of compromise deed is Ex. PD. Original compromise deed seen and returned after examination.

Brief facts of the case in hand are that plaintiff namely Mir Jan Shah has filed the instant suit against the defendants namely Inam Shah and seven others for declaration cum permanent injunction to the effect that suit property fully detailed in the head note of the plaint is the ancestral ownership of plaintiff. That defendants have got no concern whatsoever with the suit property and that defendants were asked time and again to admit the legal claim of plaintiff but in vain, hence, the present suit.

With due process of law and procedure, defendants were summoned. Defendants contested the suit by filing written statement and reply.

Today, parties stated at the bar that the matter has been patched up between the parties outside the court through compromise. Joint statement of the parties recorded wherein they reiterated that they

10/10/022
ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

40

have affected compromise as per terms and conditions duly mentioned in the compromise deed. Original compromise deed produced. Copy of CNIC of plaintiff is Ex. PA. Copy of CNIC of defendant No. 1 is Ex. PB. Special power of attorney is Ex. PC and copy of compromise deed is Ex. PD. Original compromise deed seen and returned after examination.

As the matter has been patched up between plaintiff and defendants through compromise as per terms and conditions duly mentioned in the compromise deed exhibited as Ex-PD and parties are no more at issue, therefore, suit in hand is hereby decreed on the basis of compromise between the parties accordingly. No order as to cost.

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

ANNOUNCED
10.10.2022



Zahir Khan
Civil Judge-I, Kalaya, Orakzai