

Or-----02  
07.11.2022

Representative of petitioners/judgment debtor present.  
Respondent/decreed holder present through Mr. Abid Ali Advocate. Record received.

Learned counsel for respondent/decreed 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 petitioner has filed the instant petition for setting aside ex-parte decree dated 05.07.2022 passed in civil suit no. 33/1 of 2022.

Petitioners have contended that suit no. 33/1 of 2022 was filed against them by present respondent and the same was ex-parte decreed vide order dated 05.07.2022. That the petitioner was proceeded 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 petitioners, resultantly, petition is allowed and ex-parte decree dated 05.07.2022 passed in civil suit no. 33/1 of 2022 is hereby restored. No order as to costs. Muharrir is directed to do the needful.

The instant file be consigned to District Record Room, Orakzai after necessary completion and compilation. Copy of this order be placed on main file.

Announced  
07.11.2022

  
Shabeer Ahmad  
Civil Judge-II

Tehsil Courts, Kalaya, Orakzai