

Or-----14

12.11.2022

Parties present.

My this order is directed to dispose of contempt of court application submitted by the petitioners Dr. Jan Alam etc.

Petitioners have contended that an order of status quo was passed by learned Civil Judge, Orakzai in their favor and that order was properly served upon the respondents but in violation of the said order respondents continued construction work on the pathway.

Record reveals that the instant application was filed on 24.08.2020 and the then learned Senior Civil Judge, Orakzai directed to Court Bailiff to visit the spot and report on the matter, who submitted his report on 26.08.2020.

The petition was then entrusted to learned Civil Judge-I and on 07.09.2020 learned CJ-I also directed Bailiff of the Court to submit inquiry report before the court after spot inspection. Bailiff of the Court submitted his report on 21.09.2020.

Respondents were summoned who appeared and contested the petition by filing the written reply.

Preliminary arguments heard and record perused. Record reveals that according to both of Bailiff reports nothing, except some already executed work and material on side, was in progress on site, therefore, no meaning can be inferred of violation of court order.

Resultantly, further proceedings in the instant contempt of court application would be a futile exercise, hence not sustainable, same is therefore dismissed. No order as to costs. File be consigned to District Record Room, Orakzai, after its proper completion and compilation.

Announced:

12.11.2022



Shabeer Ahmad,

Civil Judge-II,

Tehsil Court Kalaya, Orakzai