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

Suit No. : 3/FC of 2022.  
Date of Institution : 03.10.2022  
Date of Decision : 07.12.2022

Rasheeda Bibi D/O Khawaz Gul W/O Gul Wali R/O, Qaum Kamar Khel,  
presently residing at Village Manzakhay, Tehsil Lower, District Orakzai

.....(Plaintiff)

**VERSUS**

Gul Wali S/O Syed Muhammad, R/O Qaum Kamar Khel, Village  
Manzakhay, Tehsil Lower, District Orakzai.

.....(Defendant)

*Mr. Sanaullah Khan Advocate for plaintiff*

***SUIT FOR DISSOLUTION OF MARRIAGE ON THE GROUND OF  
CRUELTY, RECOVERY OF 02 TOLA GOLD OR ITS PRICE AS  
DOWER, MAINTENANCE, MEDICAL ALLOWANCE AND DOWRY  
ARTICLES.***

**Ex-Parte Order**

07.12.2022

Father of plaintiff present. Defendant has already been placed and  
proceeded against ex-parte.

Plaintiff namely Rasheeda Bibi has invoked the jurisdiction of this  
Court against the defendant namely Gul Wali praying for:

**P R A Y E R S:**

- i. *Dissolution of marriage on the ground of cruelty.*
- ii. *Recovery of dower of 02 tola gold or its current market price as dower.*
- iii. *Recovery of maintenance allowance for plaintiff @ Rs. 10,000/- (Ten thousand rupees) per month since September 2021 till disposal of the case.*
- iv. *Medical allowance of Rs. 20,000/-.*



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- v. *Recovery of dowry articles per list annexed with the plaint (amounting Rs. 150,000/-)*

**FACTS:**

Succinct facts of the instant suit are that plaintiff filed the instant suit for dissolution of marriage on the ground of cruelty, recovery of dower, recovery of maintenance allowance, medical allowance and dowry articles against the defendant contending that marriage of plaintiff was solemnized with defendant in September 2020 according to Sharia Muhammadi and 02 tola gold ornaments was fixed to be the dower which has not been paid to plaintiff. That after the Nikah, relationship between the parties remained cordial but thereafter, behavior, conduct and attitude of defendant towards the plaintiff changed and the defendant started beating and abusing her. She was physically and mentally tortured. That lastly, defendant ousted plaintiff from house in September 2021 in her wearing clothes and since then, she has been living with her poor parents. That efforts for reconciliation on behalf of plaintiff were made but in vain, hence the present suit.



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Upon institution of the suit in hand, defendant was summoned, who remained absent despite service through affixation and through adult male member of his family residing with him, hence, placed and proceeded against ex-parte and thereafter, plaintiff was allowed to produce her ex-parte evidence.


After submission of list of witnesses, plaintiff produced three witnesses in support of her claim.

Plaintiff herself appeared and recorded her statement as PW-01. She reiterated the averments of plaint. List of dowry articles is Ex. PW-1/1. She lastly requested for decree of suit in her favour against the defendant as prayed for.

Hawaz Gul (father of plaintiff) and Abdul Wadood (relative of plaintiff), appeared and deposed as PW-02 and PW-03 respectively. They fully supported the claim of plaintiff and requested for decree of suit in her favour against the defendant as prayed for. Copies of their CNICs are Ex. PW-2/1 and Ex. PW-3/1 respectively.

Thereafter, plaintiff closed its evidence.

It is discernible from the available record that plaintiff is not willing to live within the wedlock under the limits prescribed by Almighty Allah and there is no possibility of happy reunion of couple, therefore, suit of plaintiff is hereby ex-parte decreed in her favor as prayed for and as a result thereof, marriage of the plaintiff with defendant is hereby dissolved today. Her idat period starts from today as per law. She is held entitled to maintenance allowance of Rs. 10,000/- per month till completion of period of idat.

  
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Note: Intimation of ex-parte decree along with attested copies be sent to defendant and Union Council concerned by issuing notice through registered post at the expenses of plaintiff.

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

**Announced**  
07.12.2022



**(ZAHIR KHAN)**  
CJ /Family Judge-I, Kalaya, Orakzai