

Or.....02
19.09.2022

Plaintiff along with counsel present.

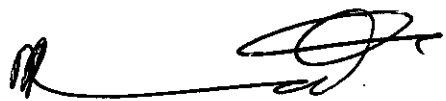
Today the case was fixed for arguments on maintainability of the instant suit.

Arguments heard and record perused.

After hearing of arguments and perusal of the record, I am of the opinion that the plaintiff has filed the instant suit for restitution of conjugal rights against the defendant, his wife but admittedly as per the plaint, the defendant is residing in Mouza Tappi, District Kohat. Thus, according to **Rule # 06 of the West Pakistan Family Court Rules, 1965**, such a suit can be only filed in the court within the local limits of which the wife ordinarily resides. Admittedly, she is residing in the local limits of the territorial jurisdiction of the family court of district Kohat, therefore, this court is lacking jurisdiction to entertain the present suit. Hence, *dismissed being non-maintainable*, on account of territorial jurisdiction with costs.

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

Announced
19.09.2022


(Rehmat Ullah Wazir)
Senior Civil Judge,
Orakzai (at Baber Mela)