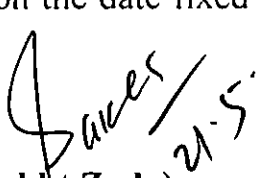
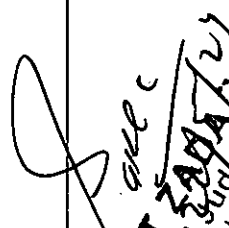


COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA

Case Title: Rasool Khan VS State

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order No. 03	21.05.2024	<p>Case file received from the court of learned Civil Judge/JM-I, Orakzai, pursuant to order of the Hon'ble Peshawar High Court, Peshawar bearing endorsement No. 3917-4017/Admn, dated: 09.05.2024 and subsequent order of the Hon'ble District & Sessions Judge, Orakzai bearing endorsement No. 6956-63/DSJ/ORK, dated: 20.05.2024. It be registered.</p> <p>File to come up for previous proceedings on the date fixed i.e. <u>22.05.2024</u></p> <p style="text-align: right;">  (Bakht Zada) Senior Civil Judge/JM, Orakzai at Baber Mela. </p>
Order No. 04	22.05.2024	<p>APP for the state present. Petitioner along with counsel Khursheed Khan Khattak advocate present. Complainant namely Syed Sharif of Naqalmaid No. 04, dated: 12.05.2024 present along with Abid Ali advocate.</p> <p>Petitioner Rasool Khan s/o Janat Khan. R/O Muhallah Hayat Abad, District Hangu is seeking return of Truck No. E-3463, Model: 1982, Engine No. LS1552P, Chassis No. CJP604442 along with loaded coal, which is taken into possession by the local police of PS Kurez Boya vide Naqalmaid No. 14, dated: 12.05.2024.</p> <p style="text-align: center;">Continue</p>


BAKHT ZADA
 Senior Civil Judge/JM
 Orakzai at Baber Mela

COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA

3

Case Title: Rasool Khan V/S State

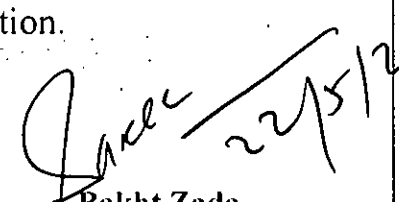
s Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order No. 04 continued	22.05.2024	<p>According to petitioner, he is owner and last possessor of the above-mentioned truck and the same has been parked by the local police in the PS at the report of the complainant. That the petitioner is in possession of the coal carriage road permit. That he is in possession of the original registration documents of the vehicle. That there is apprehension of damage to the loaded vehicle if left unattended for indefinite period. It is also mentioned that there is apprehension of damage to the coal and truck as well due to the reason that usually the coal catch fire if the same is left under the open sky exposed to the rain. That he is ready to submit surety in this respect.</p> <p>Arguments heard and available record perused which shows that today the petitioner produced the original documents before the court which are in his name. Furthermore, as per contents of the Naqalmaid, he is also the last possessor of the truck in question. That the petitioner was also in possession of road permit/mineral receipt bearing book No. 95, S. No. 9466 meaning thereby that the petitioner is authorized by the lease holder to transport the coal loaded in the said truck. As far as the contention of the complainant of Naqalmaid No. 14, dated: 12.0502024 regarding the ownership of coal loaded in the</p>

[Handwritten Signature]
BAKHT ZADA
Senior Civil Judge/JM
Orakzai at Baber Mela

(5)

COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA

Case Title: Rasool Khan VS State

<p>Order No. 04 continued</p>	<p>22.05.2024</p>	<p>truck is concerned, the same is pure question of civil nature and is to be decided by the competent forum. At this stage, in order to safeguard the rights of both the parties and to decide the matter in proper way, I hereby accept the instant application with further direction to the petitioner to deposit the market value of the coal loaded in the truck in question, which according to the parties is about Rs. 180,000/-, in the court with Civil Nazir in cash and the same will be disbursed upon the parties in whose favour the question of ownership of the coal is decided by the competent forum.</p> <p>The petitioner is further directed to submit surety bond in respect of the truck worth Rs. 500,000/- to the satisfaction of SHO of the PS concerned. SHO is further directed to bound down the petitioner to produce the vehicle in question when and where required to the local police or to this court.</p> <p>File be consigned to the record room after its necessary completion and compilation.</p> <p style="text-align: center;"><u>Announced</u> 22.05.2024</p> <p style="text-align: right;"> Bakht Zada Senior Civil Judge/JM, Orakzai (at Baber Mela)</p>
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