


(10)

FORM "A"  
FORM OF ORDER SHEET

IN THE COURT OF SYED ABBAS BUKHARI, CIVIL JUDGE/JUDICIAL MAGISTRATE/CJ-II, KALAYA ORAKZAI

Case Title: Khalid Hakeem Vs Naseer Jan etc

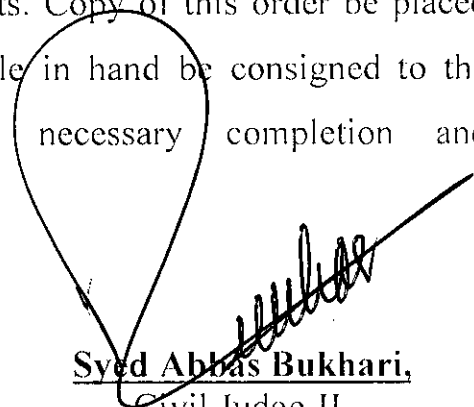
Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order 19	29.06.2024	<p>Parties present.</p> <p>Vide this order I intend to dispose of instant application for grant of temporary injunction filed by plaintiff, hereinafter referred as the petitioners.</p> <p>Arguments already heard and record perused.</p> <p>Now on perusal of the record and valuable assistances of both the learned counsels for the parties, this court is of the humble view that petitioner through instant suit allege that he is owner of suit property measuring 7.5 Marla in the joint property measuring 30 Marla and thus he seek official partition of the joint property of parties to the suit. Contrary to this respondents allege that about 30 years ago suit property was sold by father of plaintiff to one Taj Wali (defendant no.05). Furthermore, suit in hand has been filed by petitioner after the death of his father, which show mala fide on his part.</p> <p>In given circumstances this court is of the humble view that the respective stance alleged by both the parties to the suit is subject to proof after recording of pro and contra evidence and furthermore, in absence of revenue record in district Orakzai, at this stage it is not possible for this court to ascertain that as who amongst the parties to the suit is real owner of the suit property. However in order to preserve the suit property from alienation or from changing its nature during the pendency of instant suit, this court deem it appropriate to restrain respondents to this effect.</p> <p>In light of above discussion, instant application for grant of temporary injunction filed by plaintiff is hereby <b>allowed</b> and temporary injunction for the statutory period of six months or till disposal of instant suit, whichever comes</p>

  
29.06.2024  
SYED ABBAS BUKHARI  
Civil Judge/JM-II  
Tehsil Courts Kalaya

11

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<p>Contd..order 19</p>	<p>29.06.2024</p>	<p>earlier, is hereby granted in favour of plaintiff and defendants are hereby directed to restrain from alienation of suit property through any mode of transfer or to change its nature. No order as to costs. Copy of this order be placed on main suit file while file in hand be consigned to the record room after its necessary completion and compilation.</p> <p><b><u>Announced</u></b> <b>29.06.2024</b></p> <p> <b>Syed Abbas Bukhari,</b> Civil Judge-II, Tehsil Court Kalaya, Orakzai</p>
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