

(8)

FORM "A"  
FORM OF ORDER SHEET

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

Case Title: Nazir Hassan Vs Nazir Ali

| 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 13                          | 30.07.2024                | <p>Parties present.</p> <p>Vide this order I intend to dispose of instant application for grant of temporary injunction filed by plaintiffs, 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 predecessor of petitioners previously purchased suit property from respondent no.08 in the year 1991 vide sale deed dated: 08.02.1991 and since the time of its purchase they are in possession of the same. Contrary to this respondents allege that suit property is joint ownership of parties to the suit and thus respondent no.08 has got no right to sale un-partitioned joint property. Furthermore, deed dated: 08.02.1991 is also fake and forged.</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> |

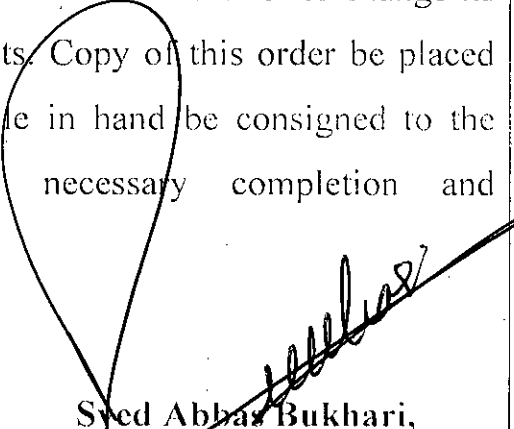


30-07-2024  
SYED ABBAS BUKHARI  
Civil Judge/JM-II  
Tehsil Courts Kalaya

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Case Title: \_\_\_\_\_ Vs \_\_\_\_\_

|                       |            |   |
|-----------------------|------------|---|
| Contind..<br>Order 13 | 30.07.2024 | <p>earlier, is hereby granted in favour of plaintiffs 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><br/><b>30.07.2024</b></p> <p><br/><b><u>Syed Abbas Bukhari,</u></b><br/>Civil Judge-II,<br/>Tehsil Court Kalaya, Orakzai</p> |
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