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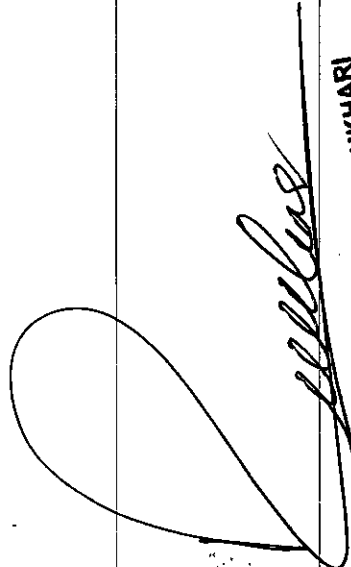
FORM "A"

FORM OF ORDER SHEET

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

Case Title: Rawal Khan Vs Mees Jaffer

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 07	17.08.2024	<p>Parties alongwith counsels present. Replication to application for grant of temporary injunction submitted by respondents, which is placed on file and copy of the same handed over to petitioners.</p> <p>Vide this order I intend to dispose of instant application for grant of temporary injunction filed by petitioners.</p> <p>Arguments heard and record perused.</p> <p>Now on perusal of the record and valuable assistance of both the learned counsels for the parties, this court is of the humble view that petitioners have alleged in their plaint that suit property is their ancestral property and they are owners in possession of the same. Contrary to this respondent no. 05 had alleged in his written statement that he has previously purchased the suit property from respondents no. 01 to no. 04 vide sale deed dated: 23.01.2023 and further he is in possession of the suit property. Record would further transpire that this fact has also been admitted by respondents no.01 to no.04 in their respective written statement and they have further alleged that suit property was their ancestral property which, after its sale, is now in possession of respondent no.05. In given circumstances this court is of the view that as there is no revenue record available in District Orakzai, hence the respective stance of both the parties to the suit is subject to proof after recording of pro and contra evidence and further after recording of evidence it would be ascertained that who amongst parties to the suit is real owner of the suit property. It is also pertinent to mention here that as for as possession of the suit property is concerned, petitioners in their Para no.2 of their plaint had admitted that respondents</p>


17.08.2024
SYED ABBAS BUKHARI
Civil Judge/JM-II
Tehsil Courts Kalaya

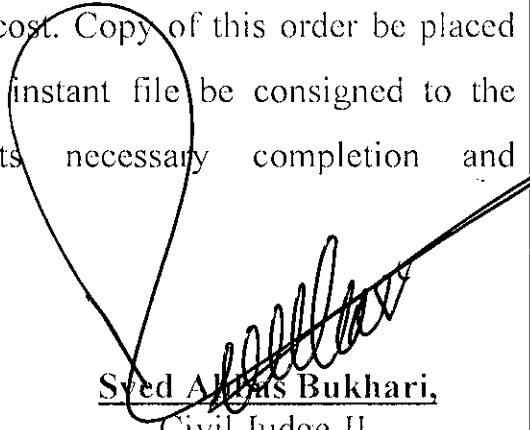
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FORM "A"

FORM OF ORDER SHEET

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

Case Title: Rasool Khan Vs Muhammad Jaffer

<p>Contind... order 07</p>	<p>17.08.2024</p>	<p>no.01 to no.04 have sold suit property to respondent no.05 and accordingly respondent no.05 is raising construction over the same. Hence from this admission of petitioners it is crystal clear that suit property has been purchased by respondent no.05 and further he is in possession of the same. In given circumstances, no prima facie case exist in favour of petitioner at this stage. However in order to preserve suit property from further alienation, this court deem it appropriate to grant temporary injunction in favour of petitioners only to the extent of further alienation.</p> <p>In light of above discussion, instant application for grant of temporary injunction is hereby allowed and temporary injunction for the statutory period of six months or till disposal of instant suit, whichever comes earlier, is hereby granted in favour of petitioners only to the extent of further alienation and respondent no.05 is hereby directed not to further alienate the suit property through any mode of transfer. No order as to cost. Copy of this order be placed on main suit file while instant file be consigned to the record room after its necessary completion and compilation.</p> <p><u>Announced</u> 17.08.2024</p> <p> Syed Abbas Bukhari, Civil Judge-II, Tehsil Court Kalaya, Orakzai</p>
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