

Form No: HCJD/C-121
ORDER SHEET.
IN THE ISLAMABAD HIGH COURT, ISLAMABAD.
JUDICIAL DEPARTMENT.

Writ Petition No.3915 of 2022

Mst. Rabia

VS

Additional District Judge-IV (East), Islamabad and 04 others.

S. No. of order/ proceedings	Date of order/ Proceedings	Order with signature of Judge and that of parties or counsel where necessary.
03.	29.11.2022	Syed Bilawal Kamal, Advocate for the petitioner.

Through the instant petition, the petitioner has challenged order dated 23.07.2022, passed by learned Additional District Judge, Islamabad (East), whereby appeal filed by the petitioner against order dated 24.05.2022, has been dismissed being meritless.

2. Learned counsel for the petitioner, *inter-alia*, contends that the main ground for dismissal of the objection petition, vide impugned order, is that earlier objection petition filed by the petitioner on 13.12.2019, was dismissed on 23.11.2020 and on the same ground second application was not maintainable in accordance with law. Learned counsel further contends that earlier objection petition filed on 13.12.2019 has never been decided, there is no order that the said application has been dismissed,

hence impugned order has been passed against the facts and law, which is erroneous and is not tenable under the law. Learned counsel further contends that judgment debtor never remained owner of the property, presently the petitioner is owner of the property and before her ownership, her father was owner of the property and the petitioner has no concern with the personal affairs of judgment debtor, impugned order is erroneous and is not tenable under the law, hence the same is liable to be set-aside.

3. Points raised, need consideration.
Notice to the respondents.

4. Re-list on **14.12.2022**.

C.M. No.01 of 2022.

Notice. Meanwhile, execution proceedings pending before learned Executing Court, are stayed. Restraining order shall cease to exist and expire automatically, if not extended specifically on the next date of hearing.

C.M. No.02 of 2022.

Exemption sought for is allowed subject to all just and legal exceptions.

(TARIQ MEHMOOD JAHANGIRI)
JUDGE