

JUDGMENT SHEET

*IN THE PESHAWAR HIGH COURT
ABBOTTABAD BENCH
(Judicial Department)
C. R No. 563-A/2025*

Qazi Taimur & others

(Petitioner/s)

VS

Sonny Kim Seungsu & others.

(Respondent/s)

*Present: Mr. Shahid Aziz, Advocate for the
petitioners.*

Dates of hearing: 26.12.2025

JUDGMENT

SADIQ ALI, J.- Through the instant civil revision petition, the petitioners/defendants have called in question the order dated 23.12.2025 passed by the learned Additional District Judge-V, Mansehra, whereby their appeal against the interim order of the learned trial Court was disposed of with a direction to the learned trial Court to procure the attendance of respondent No.4 and thereafter decide the application for grant of temporary injunction in accordance with law.

2. The respondents instituted a suit for declaration and perpetual injunction against the present petitioners. Along with the plaint, an application for grant of temporary injunction was also filed, seeking to restrain the petitioners/defendants from harassing the plaintiff/respondent, from terminating him from the post of Principal, Scouts Cadet College Batrasi, and from appointing any other person, particularly petitioner Professor Qazi Taimur, as Principal of the said College. The learned trial Court, after hearing preliminary arguments, ordered maintenance of status quo for a period of fourteen days and fixed 06.01.2026 for hearing in the main suit. The petitioners entered appearance before the learned trial Court and filed their reply, whereafter the learned trial Court summoned defendant No.4 for 06.01.2026. Being aggrieved of the interim order passed by the learned trial Court, the petitioners preferred an appeal, which was disposed of by the learned appellate Court vide order dated 23.12.2025, with a direction to the learned trial Court to procure the attendance of the remaining defendants and decide the application for grant of

temporary injunction in accordance with law. Still dissatisfied, the petitioners have approached this Court through the instant petition.

3. Arguments in motion were heard and the available record has been perused.

4. A perusal of the record reveals that the controversy between the parties is presently sub judice before the learned trial Court and that, through the instant petition, the petitioners have assailed an interlocutory order passed during the pendency of the suit. In such circumstances, this Court does not deem it appropriate to undertake a detailed examination of the merits of the case, as any observation made at this stage may prejudice the case of either party before the learned trial Court.

5. However, a tentative assessment of the material available on record indicates that the services of the plaintiff have been terminated through a notification issued by the competent authority, and that thereafter the petitioner has been posted as Principal of the College. The question as to whether the notification

regarding termination of the respondent/plaintiff was validly issued or otherwise can only be determined after recording of evidence. In the peculiar circumstances of the case, suspension of the notifications pertaining to termination of the former Principal and appointment of a new Principal is likely to have a direct bearing on the day-to-day affairs of the College. Accordingly, the impugned orders passed by the Courts below, to the extent of grant of temporary injunction and suspension of the relevant notifications, are hereby suspended. The learned trial Court is expected to decide the application for grant of temporary injunction, after hearing the parties, on 06.01.2026 or on any other earliest possible date, convenient to the parties.

6. This petition is disposed of in the above terms.

Announced
26.12.2025
Tufail./**

JUDGE