

**IN THE COURT OF BILAL KHAN TANOLI, LEARNED CIVIL  
JUDGE-XIII, PESHAWAR**

*Bilal Khan Tanoli*  
Civil Judge-XIII,  
Peshawar  
12/3/22

In re: Suit No. \_\_\_\_\_/2020

**WISAL MUHAMMAD**

VS

**SYED ARIF HASSAN ETC.**



**(PETITION UNDER SECTION 20 OF ARBITRATION ACT FOR THE  
APPOINTMENT OF ARBITRATOR)**

**PETITION ON BEHALF OF THE RESPONDENTS FOR  
THE REJECTION OF TITLED PETITION UNDER  
ORDER VII RULE 11 READ WITH SECTION 151 CPC  
AND ALL OTHER ENABLING PROVISIONS OF LAW.**

Respectfully Sheweth:

- 1) That the above titled petition is pending adjudication before this Hon'ble court and is fixed for 12-02-2022.
- 2) That the petitioner has filed the titled petition with malafide intentions and the same is not competent and maintainable in its present form hence the same merits dismissal.
- 3) That the petitioner has got no legal character and locus standi to file the titled petition against the respondents as the alleged

**ATTESTED**

Attested  
Ashraf Ali  
Notary  
Public  
Advocate

07 SEP 2022

(Examiner)  
Session Court Peshawar

01/12/23

24/A

(18)

فردا صبح صبح سو - سندھ میں مقیم رہنے والے ہیں  
انڈیا میں مقیم رہنے والے ہیں برائے جو ایک اور کیس میں  
موجود ہیں ان کی موجودگی اور غور سے آؤ اور 7 جولائی 11  
تاریخ کو کو درجہ میں 22/6/22 کے ساتھ پیش کریں

صفحہ  
09/4/22

Bilal Khan Tanoli  
Civil Judge-XIII,  
Peshawar.

(19)

فردا صبح صبح سو - سندھ میں مقیم رہنے والے ہیں  
انڈیا میں مقیم رہنے والے ہیں برائے جو ایک اور کیس میں  
موجود ہیں ان کی موجودگی اور غور سے آؤ اور 7 جولائی 11  
تاریخ کو کو درجہ میں 25/6/22 کے ساتھ پیش کریں


صفحہ  
21/5/22

Bilal Khan Tanoli  
Civil Judge-XIII  
Peshawar  
25 June, 2022

(20)


1. Learned counsel for petitioner and respondents present.
2. Arguments on application under Order VII rule 11 CPC heard.
3. Learned counsel for the respondents stated that they came from Punjab and since their other civil suit is also pending before the civil Court Peshawar on 28/17/2022. Therefore, they requested for the same date. Allowed.
4. File to come up for order on maintainability of the petition.

ATTESTED

  
Ms. Sidra  
Civil Judge-XIII,  
Peshawar

07 SEP 2022

(Examiner)  
Civil Court Peshawar

Attested  
Ashraf Ali  
Notary Public  
Advocate  
  
01/12/23

Order-Sheet-  
28<sup>th</sup> July, 2022

1. Parties through clerk of counsel present
2. This Order is intended to dispose of the petition filed by petitioner under section 20 of Arbitration Act, 1940 and order 7 rule 11 application filed by respondents.
3. Arguments already heard. Case file perused.
4. Petitioner filed the instant petition under section 20 of Arbitration Act, 1940 seeking the directions of the Court for referring the matter to the arbitration as both the parties had dispute regarding the election of President ship of Pakistan Archery Federation. Whereas respondents filed application under order 7 rule 11 and by raising legal and factual objections therein stated that it is not maintainable.
5. Record shows that petitioner is General Secretary and respondent is President of Pakistan Archery Federation. Petitioner is alleging illegalities and irregularities regarding the election of president-ship of Pakistan Archery Federation and is demanding to resolve the matter through arbitration as per the article XVI of the constitution of Pakistan Archery Federation. Perusal of the said article provides that:

**ATTESTED**

07 SEP 2022

(Examiner)  
Session Court Peshawar



*[Handwritten Signature]*  
01/12/23

"All disputes arising out of the working /functioning and performance of federation and or any parts of its affiliated member units within itself or amongst each other shall be resolved through arbitration". Therefore, Court is of the view that arbitration clause in the said constitution is sufficient to refer the case to an arbitrator. As far as order 7 rule 11 application is concerned, after scanning the record court is of the view that the grounds/provisions raised by the learned counsel in order 7 rule 11 application needs pro and contra evidence. Hence, application in hands stands dismissed.

6. In the light of above discussion, instant petition is accepted and parties are directed to submit the name of an arbitrator in the Court in the light of Article XVI of the constitution of Pakistan Archery Federation.

7. File to come up for submitting the name of an arbitrator on behalf of parties on 3/10/2022. Further respondents are also directed to submit the reply of the said petition on date fixed.

CERTIFIED TO BE TRUE COPY  
*Q. A. Sidra*  
(Examiner)  
Copying Agency District Court  
Peshawar.

*Q. A. Sidra*  
Sidra,  
Civil Judge-XIII,  
Peshawar.

No.	45202
Dated of Application	07/09/22
Name of Applicant	SUBJIL/11/22/151
Word of Court	22
Fee	P-22
Signature of Applicant	<i>Q. A. Sidra</i>
Dated of Preparation	
Dated of Delivery	07/09/22
	07/09/22

