

08.11.2022

Counsel for the appellant present.

Asif Masood Ali Shah learned Deputy District Attorney for the respondents present.

Instant application is for restoration of service appeal No. 777/18 which was dismissed in default on 29.06.2021 by the larger bench. It would be proper to place the appeal before Hon'ble Chairman for further appropriate orders. Parties are directed to appear before the said court on 06.12.2022.


SCANNED
BY ST
Pakistani


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)

06th Dec, 2022

This case received from the learned D.B-II with the observation that the matter was dismissed in default by a larger bench, therefore, it would be appropriate to fix the case before the larger bench. Therefore, larger bench comprising Ms. Rozina Rehman, Learned Member (Judicial, Mian Muhammad, Learned Member (Executive) and Ms. Fareeha Paul, learned Member(Executive) is constituted and the parties are directed to appear before the said bench.


(Kalim Arshad Khan)
Chairman

06.12.2022

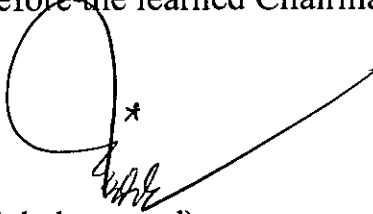
Petitioner present through counsel.

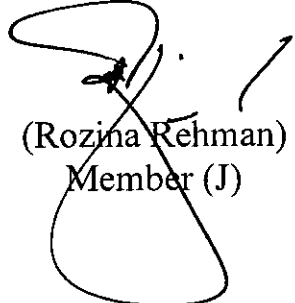
Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Arguments on the application heard. Record perused.

Perusal of record would reveal that appeal No. 777/2018 was dismissed in default for non-prosecution vide order dated 29.06.2021. It was argued that absence of learned counsel on the date fixed was not intentional but due to reason that he was busy before august Supreme Court of Pakistan at Islamabad due to which he did not appear before this Tribunal.

In this view of the matter, this application for restoration of appeal is allowed. Appeal stands restored on cost of Rs.5000/- to its original number. Both the parties be put on notice for the date fixed. The case file be put up before learned Chairman with a request for constitution of larger bench for the disposal of main appeal. Parties are directed to appear before the learned Chairman on 25/01/2023.


(Mian Muhahammad)
Member (E)


(Rozina Rehman)
Member (J)


(Farzeha Paul)
Member (E)