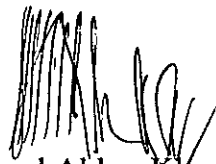


07.03.2023

Learned counsel for the petitioner present. Arguments on restoration application heard and record perused.

The Service Appeal bearing No. 1542/2022 was dismissed in default vide order dated 16.01.2023. According to learned counsel for the petitioner, the appeal was fixed for preliminary hearing on 16.01.2023 before the Tribunal at Camp Court, D.I.Khan and appellant filed an application for transfer of the appeal from D.I.Khan Bench to Principle Seat Peshawar but it came to the knowledge of petitioner on 31.01.2023 that the appeal was dismissed in default. The petitioner submitted application for restoration of appeal on 01.02.2023 which is well within time. The application for restoration of service appeal is supported by duly sworn affidavit. Law also favours adjudication on merit by avoiding technicalities.

The application in hand is, therefore, accepted and Service Appeal bearing No. 1542/2022 stands restored to its original number. To come up for preliminary hearing on 19.04.2023 before S.B. P.P given to learned counsel for the appellant. Original record also be requisitioned for the date fixed.



(Muhammad Akbar Khan)
Member (E)