


15.02.2023

Appellant in person present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Appellant submitted receipt of an amount of Rs. 10000/- deposited by him with the Registrar of this Tribunal as cost imposed upon him vide order dated 30.11.2022. Appellant also requested for adjournment on the ground that his counsel is not available today due to some domestic engagement. Adjourned. To come up for arguments on 21.03.2023 before the D.B.


(Fareeha Paul)
Member (E)



(Salah-ud-Din)
Member (J)

21.03.2023

Junior to counsel for the appellant present.

Fazal Shah Mohmand, Additional Advocate General for the respondents present.

Former made a request for adjournment as senior counsel for the appellant is busy before Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 01.06.2023 before D.B. Parcha Peshi given to the parties.


(Muhammad Akbar Khan)
Member (E)


(Rozina Rehman)
Member (J)

30th Nov 2022

1. Learned counsel for the appellant present and heard.

2. This application is for restoration of appeal dismissed in default vide order dated 15.03.2019. It appears that on 21.01.2019, the matter was fixed before the Tribunal and was adjourned to 15.03.2019 due to general strike of the bar. On 15.03.2019 the appeal was dismissed in default due to non-appearance of the appellant and his counsel. Learned counsel for the appellant contended that the then counsel for the appellant was not communicated the next date to the appellant. Even then the appellant cannot be absolved as he was also bound to pursue his cause and for the purpose he ought to have inquired about the status of his appeal or the dates to be fixed but he did not, therefore, to secure the ends of justice, this application is allowed but on payment of Rs.10000/- as cost to be paid to the other side. The appeal stands restored to its original number. The appellant is given last chance to argue this appeal failing which the appeal will be decided on the available record without the arguments. To come up for arguments on 15.02.2023 before D.B.

3. *Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 30th day of November, 2022.*



(Fareeha Paul)
Member(E)



(Kalim Arshad Khan)
Chairman

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KPST
Peshawar