


Petition U/S 12(2) CPC No. 8/2023

3rd May, 2023

1. Learned counsel for the petitioner present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

2. Vide order dated 11.11.2022 appeal No. 1525/2022 of the petitioner was dismissed as withdrawn on the ground that the petitioner had been transferred back to the Public Health Engineering Division, Mardan from the Public Health Engineering Division, Swabi, thereby, redressing his grievances but soon thereafter vide order dated 04.01.2023 the petitioner was again transferred compelling him to file this application under Section 12(2). C.P.C 1908 to get restored his appeal. On receipt of this application, a Single Bench of this Tribunal had suspended the order dated 04.01.2023. Today the respondents produced copy of an order dated 20.01.2023, whereby the order dated 04.01.2023 from which the petitioner is aggrieved, was cancelled/withdrawn. When confronted with the situation, the learned counsel for the petitioner submitted that he would not press this petition if a direction is given to the respondents to allow the petitioner to complete his normal tenure. Order accordingly. Consign.

3. *Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 3rd day of May, 2023.*


(Kalim Arshad Khan)
Chairman

Adnan Shah, PA