

12th April, 2023

1. Learned counsel for the petitioner present. Mr. Fazal Shah Mohmand, Adl: AG for the respondents present.

2. Actually this application bearing No. 616/2022, was moved for restoration of appeal No. 158/2012 which was dismissed in default on 31.05.2022 but it appears that vide order sheet dated 25.10.2022, the learned Member (Executive) had inadvertently ordered restoration of execution petition No. 12/2011, which too was dismissed in default on 31.5.2022 and restoration application of the same for fixed for the same date. Whereas there is no order of restoration of appeal No. 15/2012 in any of the order sheet on this file, therefore, we direct that office shall constitute a special Single Bench of Miss. Fareeha Paul, Learned Member (Executive) for today and further direct that this case may be placed before her today.



(Muhammad Akbar Khan)
Member (E)



(Kalim Arshad Khan)
Chairman

12th April, 2023

1. Learned counsel for the petitioner present. Mr. Fazal Shah Mohmand, Adl: AG for the respondents present.

2. File received from the Division Bench with the direction to place the matter before this special S.B.

3. Vide order sheet dated 25.10.2022, instead of making any order or proceedings in the restoration application No. 616/2022 moved for restoration of appeal No. 158/2012, I had inadvertently ordered restoration of execution petition No. 12/2011 because on the same date an application for restoration of execution petition No. 12/2011 was also fixed. As no order for restoration of appeal No. 158/2012 was passed by me nor by the D.B before which this matter was fixed time and again, therefore, it would be appropriate that restoration application No. 616/2022 filed to get restored appeal No. 158/2012 be fixed before the D.B for making appropriate order. To come up on 11/5/2023 before D.B.

SCANNED
11:01
PESHAWAR




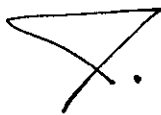
(Fareeha Paul)
Member(E)

11.05.2023

Clerk of learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments on 08.06.2023 before the D.B. Parcha Peshi given to the parties.


(Muhammad Akbar Khan)
Member (E)


(Salah-ud-Din)
Member (J)

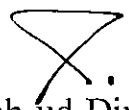
Naeem Amin

08.06.2023

Clerk of learned counsel for the appellant present Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments on 11.07.2023 before the D.B. Parcha Peshi given to the parties.


(Fareeha Paul)
Member (E)


(Salah-ud-Din)
Member (J)

Naeem Amin