

this appeal failing which the appeal will be decided on the available record without the arguments. To come up for arguments on 23.10.2022 before D.B at camp court Abbottabad.

4. *Pronounced in open court in Abbottabad and given under our hands and seal of the Tribunal on this 19<sup>th</sup> day of June, 2023.*



(Rashida Bano)  
Member (J)

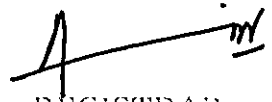


(Kalim Arshad Khan)  
Chairman  
Camp Court, Abbottabad

## FORM OF ORDER SHEET

Court of \_\_\_\_\_

Restoration Application No. 307/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	17.05.2023	<p>The application for restoration of appeal No. 3495/2021 received today by registered post through Mr. Abdul Aziz Khan Tanoli Advocate. It is fixed for hearing before touring Division Bench at A.Abad on 19/6/23. Original file be requisitioned.</p> <p>By the order of Chairman    For REGISTRAR</p>
19 <sup>th</sup> June, 2023		<p>1. Learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.</p> <p>2. This application is for restoration of appeal dismissed in default vide order dated 28.03.2023. The original file shows that on 24.01.2023, learned counsel for the appellant had put appearance and had requested for adjournment, which was adjourned to 28.03.2023. On 28.03.2023 the appeal was dismissed in default due to non-appearance of the appellant and his counsel. It was contended by the petitioner that he had mistakenly noted the next date as 28.04.2023 and being unaware of the next date as 28.03.2023, he was informed on 28.04.2023 regarding dismissal in default of his case. Learned AAG also showed no objection on acceptance of the instant application.</p> <p>3. In view of the submission of the petitioner and in the interest of justice, this application is allowed but on payment of Rs.10,000/- as cost to be paid on behalf of petitioner, to be deposited in some orphanage. The appeal stands restored to its original number. The appellant is given last chance to argue</p>

ANNEXED  
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Peshawar