

3rd July, 2023

1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah learned Deputy District Attorney for the respondents present.
2. Respondents No.2, 4 & 5 are deleted from the panel of respondents as the relief claimed by the appellant, could be granted against respondents No.1 & 3 and could be properly implemented, whereas no relief is sought against respondents No.2, 4 & 5. Learned counsel for the appellant referred to "Annexure-A", a copy of impugned order, which was passed by the then Political Agent, Orakzai Agency, whereas, after 25th Constitutional Amendment, the erstwhile FATA has been merged into the province of Khyber Pakhtunkhwa and a civil District Orakzai was established, changing the nomenclature of the Political Agent Orakzai to Deputy Commissioner, Orakzai. Since the impugned order was by the then Political Agent, therefore, it is appropriate that successor of the Political Agent i.e. Deputy Commissioner be impleaded as respondent and notice be issued to him. The office is directed to delete the names of respondents No.2, 4 & 5 and implead the Deputy Commissioner, Orakzai as respondent and issue notice to him to submit reply in this case. Appellant is directed to deposit expenses of TCS for summoning the Deputy Commissioner, Orakzai for 31.10.2023 for reply before the S.B. P.P given to the parties.



(Rashida Bano)
Member (J)



(Kalim Arshad Khan)
Chairman