

FORM OF ORDER SHEET

Court of _____

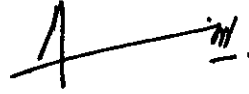
Restoration Application No. 396/2023

| S.No. | Date of order Proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|--|
| 1 | 2 | 3 |
| 1 | 22.06.2023 | |

The application for restoration of appeal No 944/2018 submitted today by Mr. Adnan Adnan Advocate. It is fixed for hearing before Division Bench at Peshawar on 27-06-23. Original file be requisitioned.

**SCANNED
KPST
Peshawar**

By the order of Chairman



REGISTRAR

27.06.2023

1. Petitioner present through counsel. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Abdul Jameel, ADEO for the respondents present.


2. Arguments heard. Record perused.


3. Application in hand was submitted on 22.06.2023 for restoration of main service appeal which was dismissed in default vide order dated 30.01.2023.

4. Learned counsel for petitioner submits that the titled appeal was already argued and fixed for order on 13.05.2022. Thereafter the appeal was adjourned three times for order but on 15.07.2022 it was fixed for re-arguments. On 30.01.2023 he was busy before Hon'ble Peshawar High Court, Peshawar and the case was adjourned to 08.05.2023. On 08.05.2023 he appeared before the court but was astonished that the instant appeal has been dismissed in default. He annexed daily cause list of 30.11.2023, wherein case of the appellant was found mention at serial No. 7 having ^{shown} next date as 08.05.2023. As the appellant has died during pendency of the appeal and now his legal heirs are before this hon'ble Tribunal, therefore, he requested for the restoration of the instant service appeal

5. Learned DDA shows no objection on acceptance of the instant application seeking restoration of main appeal.

6. In view of the above, instant application is accepted and the main service appeal stands restored. It be registered. This petition be consigned while main appeal be fixed for arguments on 25.10.2023 before D.B.P.P given to the parties.


(Fareeha Paul)
Member (E)


(Rashida Bano)
Member (J)