
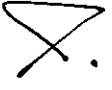



05.06.2023


Nemo for the petitioner. Notice be issued to legal heirs of the petitioner and to come up for reply/comments as well as arguments on restoration application on 18.07.2023 before the D.B. Original record also be requisitioned for the date fixed.


(Fareeha Paul)
Member (E)


(Salah-ud-Din)
Member (J)

- 19.07.2023
1. Learned counsel for the petitioner present. Mr. Fazal Shah Mohmand learned Assistant Advocate General for respondents present.
 2. Arguments heard. Record perused.
 3. Application in hand was submitted on 01.06.2023 for restoration of main service appeal which was dismissed in default vide order dated 31.03.2023.
 4. It was submitted by the learned counsel for petitioner that subject case was previously fixed on 30.01.2023 which was adjourned to 22.03.2023. On 22.03.2023 the attorney for the petitioner alongwith the counsel attended the Tribunal but due to non availability of bench case was adjourned to 24.05.2023. On 24.05.2023 attorney alongwith counsel attended the Tribunal instant case was missing from cause list. Upon proper probe it come into the knowledge of applicant that the subject case was fixed and dismissed in default on 31.03.2023. He contended that absence was not willful but due to the reason mentioned above, he, therefore, requested for restoration of the instant service appeal
 5. Learned AAG shows no objection on acceptance of the instant application seeking restoration of main appeal.
 6. In view of the above, instant application is accepted. Main service appeal stands restored to its original number. It be properly registered. To come up for arguments on 11.08.2023 before D.B. P.P given to the parties.


(Fareeha Paul)
Member (E)


(Rasheeda Bano)
Member (J)

JE
ED
Naeem Amin