
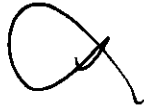


# FORM OF ORDERSHEET

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

Misc. application No. 346/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	30/05/2023	<p>The Misc. application in appeal no. 77/2019 submitted today by Mr. Mufariq Shah Advocate. It is fixed for hearing before Single Bench at Peshawar on <u>01-06-2023</u>. Original file be requisitioned.</p> <p style="text-align: right;"> REGISTRAR</p>
1 <sup>st</sup> June, 2023		<p>Learned counsel for the appellant present and submitted an application for correcting the name of counsel for the appellant in the judgment dated 13.12.2023. Copy of the judgment is annexed with the application. The appeal was decided by bench comprising of Mrs. Rozina Rehman, Ex-Member (Judicial) and Ms. Fareeha Paul learned Member (Executive), therefore, it be fixed before the D.B of which Ms. Fareeha Paul is member. Adjourned. To come up for further proceedings on 13.07.2023 before D.B. P.P given to the learned counsel for the appellant.</p> <p style="text-align: right;"> (Kalim Arshad Khan) Chairman</p>

SCANNED  
KPST  
Peshawar

\*Kaleem Ullah

**Miscellaneous Application No.346/2023 in Service Appeal No.77/2019**


13<sup>th</sup> July, 2023 1. Applicant in person and Mr. Fazal Shah Mohmand, Additional Advocate General for the respondents present.

2. The instant Miscellaneous application submitted by the applicant for correction of name of his learned counsel, has been received through office. Be entered in the relevant register. Record requisitioned and perused.

3. Through the instant application, the appellant is seeking correction of the name of his lawyer, which was inadvertently mentioned in the judgment dated 13.12.2022 as Mr. Ibrahim Khan Afridi, Advocate instead of Mr. Mufariq Shah Advocate. Record transpired that the Service Appeal bearing No. 77/2019 titled "Muhammad Saleem Vs. Government of Khyber Pakhtunkhwa" was decided on 13.12.2022, however, due to inadvertence, the name of the learned counsel for the appellant was instead mentioned as Ibrahim Khan Advocate as Mr. Mufariq Shah Advocate was representing the appeal. This Tribunal, within the meaning of Subsection-(02) of Section-7 of Khyber Pakhtunkhwa Service Tribunal Act, 1974, is deemed as civil court under the Code of Civil Procedure, 1908. Section-152 C.P.C provides for amendment of the judgment, decree or orders. It provides that mistakes in judgments, decrees or orders or errors, arisen therein from any accidental slip or omission, may, at any time, be corrected by the court either of its own motion or on the application of any of the parties. In the present case, the remaining judgment is correct but the name of Advocate has wrongly been written as Ibrahim Khan Afridi instead of Mufariq Shah, Advocate due to typographic mistake

which is an accidental slip. Therefore, office is directed to make necessary correction in the judgment and relevant record with red ink accordingly. Copy of this order as well as copy of the application be placed on file of Service Appeal No. 77/2019 and the judgment after correction be again scanned. After necessary correction in the concerned judgment, certified copies of the same be sent to both the parties. Consign.

4. *Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 13<sup>th</sup> day of July, 2023*

  
(Fareeha Paul)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman