


12th July, 2023


SCANNED
KPST
Peshawar

1. Learned counsel for the petitioner and Mr. Fazal Shah Mohmand, Additional Advocate General for the respondents present.

2. Original file of this appeal application, Appeal No.1548/2013, was directed to be requisitioned but till today, that has not been requisitioned. Office is directed to requisition the original file and submit the same within three days. To come up for arguments on 01.08.2023 before D.B. P.P given to the parties.



(Fareeha Paul)
Member (E)

Mutazem Shah


(Kalim Arshad Khan)
Chairman

1st August, 2023 1. Junior to counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

2. Original file of service appeal No. 1548/13 has not been requisitioned so far despite several directions. Office is once again directed to requisition the original file and case to come up for arguments positively on 27.09.2023 before D.B. P.P given to the parties.


(Fareeha Paul)
Member (E)

*Fazle Subhan P.S


(Rashida Bano)
Member (J)

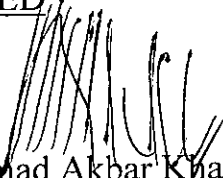
ORDER
13.06.2023


Learned counsel for the petitioner present. Mr. Asad Ali Khan,
Assistant Advocate General for the respondents present. Arguments
on restoration application heard and record perused.

Instant application has been submitted by the petitioner on
14.11.2022 for restoration of Service Appeal No. 1548/2013, which
was dismissed in default on 13.10.2022. The ground alleged in the
application is that the petitioner was of the view that his appeal was
fixed on 14.10.2022 but when attend the Tribunal on 14.10.2022 he
came to know that his appeal was dismissed in default on 13.10.2022.

Although the application for restoration of appeal has not been
submitted within time, however, law favours adjudication on merit by
avoiding technicalities. The application in hand is, therefore, accepted
and Service Appeal bearing No. 1548/2023 stands restored on its
original number. To come up for arguments on 12.07.2023 before the
D.B. Parcha Peshi given to the parties. Original record also be
requisitioned for the date fixed.

ANNOUNCED
13.06.2023


(Muhammad Akbar Khan)
Member (E)


(Salah-ud-Din)
Member (J)

SCANNED