



FORM OF ORDER SHEET

Court of _____

Restoration Application No. 366/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	09.06.2023	<p>The application for restoration of appeal No 8824/2020 submitted today by Mr. Yasir Ali Advocate. It is fixed for hearing before Division Bench at Peshawar on <u>13-06-23</u>. Original file be requisitioned.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>
	13.06.2023	<p>Nemo for the appellent.</p> <p>The instant restoration application has been inadvertently fixed before the S.B, therefore, to come for arguments on restoration application before the D.B on 14.09.2023.</p> <p>Notice be issued to the appellent and his counsel for the date fixed.</p> <p> (Muhammad Akbar Khan) Member (E)</p>

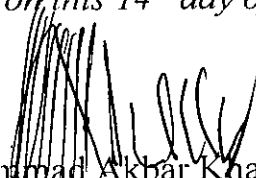
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On 12/09/2023,
counsel appellent
was informed telephonically
for the date fixed
for Moharri

- 14th Sept. 2023
1. Learned counsel for applicant present. Mr. Fazal Shah Mohmand, Additional Advocate General for the respondents present.
 2. Learned District Attorney on behalf of the respondents did not raise any objection on acceptance of this application for restoration of appeal. Instant application is for restoration of appeal No.8824/2020, which was dismissed in default on 02.03.2023. Learned counsel for the petitioner submits that the petitioner was given 21.03.2023 as the next date, but the matter was fixed for 02.03.2023 and was dismissed in default because of absence of the petitioner. In this respect, he referred to the cause list of 21.03.2023, wherein, the appeal was listed. The learned counsel submitted that the mistake seems to be inadvertent mistake on behalf of the concerned Clerk, who might have put 02.03.2023 as next date instead of 21.03.2023 in the order sheet and it was because of such inadvertence, the matter was dismissed in default. Considering the contention of learned counsel for the applicant and in the interest of justice, instant service appeal is restored to its original number. To come up for arguments on 10.01.2024 before D.B. P.P given to the parties.

3. *Pronounced in open Court at Peshawar under our hands and seal of the Tribunal on this 14th day of September, 2023.*


(Muhammad Akbar Khan)
Member (E)


(Kalim Arshad Khan)
Chairman