





07.12.2023 1. Learned counsel for the applicant present. Mr. Muhammad Jan learned District Attorney for the respondents present.

2. Arguments on application heard. Through the instant application, the applicant is seeking correction in the judgment, which was decided on 07.04.2010. Record transpired that the concerned Service Appeal bearing No. 1686/2009 titled "Muhammad Faheem Vs. Education Department" was decided on 07.04.2010. Appellant filed application for correction of the fact that he filed appeal for reinstatement but due inadvertence while accepting appeal, respondent department was directed to appoint appellant against the post of junior clerk against which he was initially appointed. Appellant seeks correction of word appointment with reinstatement. Said application under Section-152, which was decided on 09.06.2011. In the order dated 09.06.2011 date of the appointment of the applicant was written as 05.03.2009 instead of 20.02.2009. This Tribunal, within the meaning of Sub-Section 2 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 errors, arising therein from any accidental slip or omission, that 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 order is correct but date of appointment of the appellant was written as 05.03.2009 instead of 20.02.2009, as a typographical mistake, which is an accidental slip. Therefore, office is directed to make necessary correction in the order dated 09.06.2011 with red ink accordingly. This order, alongwith application of the applicant seeking said correction, be placed on file of Service Appeal No. 1686/2009 and order after correction be again scanned. Consign.

  
(Muhammad Akbar Khan)  
Member (E)

  
(Rashida Bano)  
Member (J)  
Camp Court, Swat

# FORMCF ORDERSHEET

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

Misc. application No. 843/2023

S.No	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	22/11/2023	The Misc. application in Service Appeal No. 1686/2009 submitted today by Mr. Umar Khitab Advocate. It is fixed before touring Single Bench at swat on <u>7-12-23</u> . Original file be requisitioned. Counsel for the applicant be informed accordingly.

By the order of Chairman

  
REGISTRAR