


Restoration Application No.36/2017 titled "Ayaz Vs. Police Department"


ORDER

25<sup>th</sup> Apr. 2024

1. Learned counsel for the petitioner, Ayaz present. Mr. Shoaib Ali, Assistant Advocate General for the respondents present.
2. Learned counsel for the petitioner pointed out that on 26.02.2024, the petitioner Ayaz had filed an application for restoration of appeal, which was dismissed on 09.06.2023 in default. The office has not sent that file, however, soft PDF was requisitioned from the office. The office has pointed out that there was some deficiency in the application as necessary documents were not attached nor the affidavit was attached with the same. The affidavit has been filed today. The Learned counsel for the petitioner further pointed out that this case was connected case of the Appeal No.37/2017 titled "M. Naveed Vs. Police Department" and Appeal No. 11638/2020 titled "Wazir Mehmood Vs. Police Department", therefore, the application might be allowed and the appeal might be restored. Although, the application is barred by time, yet in the interest of justice and the fact that connected matters are still pending before the Court, the appeal stands restored and be entered on its previous number, on payment of cost of Rs.5000/-. Copy of this order sheet be placed on physical file. The original file be requisitioned and be clubbed and fixed with the above mentioned. To come up for arguments alongwith connected appeals, on 29.05.2024 before D.B at Camp Court, Abbottabad. P.P given to the parties.

3. *Pronounced in open Court at Abbottabad under our hands and seal of the Tribunal on this 25<sup>th</sup> day of April, 2024.*

  
(Muhammad Akbar Khan)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman  
Camp Court, Abbottabad