

ORDER
05th Sept, 2024

Appellant in person present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for official respondent and Mr. Kabirullah Khattak, Advocate for private respondents No. 6 to 12 present.

Written reply/cognovit on behalf of private respondent No. 12 has been received through the office. Learned counsel for private respondents No. 6 to 11 seeks further time for submission of their reply/comments.

Learned Assistant Advocate General stated at the bar that the respondents were proceeded against ex-parte vide order dated 30/04/2024. However, official respondent No. 1 has already submitted written reply through the office, which is available in the case file. Therefore, the ex-parte proceedings initiated against official respondent No. 1 may be set aside. The appellant has no objection on setting aside of ex-parte proceedings initiated against official respondent No. 1 and his endorsement was obtained on the margin of order sheet. Furthermore, the law favors adjudication on merit by avoiding technicalities. Accordingly, the application for setting aside the ex-parte proceedings against respondent No. 1 is accepted. Respondent No. 1 is allowed to join the proceedings.

Respondents No. 2 to 4, being members of the DPC and respondent No. 5, the Reporting Officers, appear to be unnecessary parties. Therefore, the appellant is called upon as to why they should not be deleted from the panel of respondents. The appellant has sought an adjournment on the ground that his counsel is unavailable today. Adjourned. To come up for written reply/comments on behalf of private respondent No. 6 to 11 as well as arguments on deletion of respondents No. 2 to 5 on 02/10/2024 before the S.B. Parcha Peshi given to the parties.

(Muhammad Akbar Khan)
Member (Executive)

(Aurangzeb Khattak)
Member (Judicial)

I have no objection for setting a side ex-parte proceedings against official respondents No. 1 to 5. Initialed in (5/9/2024) (Appellant)