



19<sup>th</sup> Sept, 2024

Learned counsel for the appellant present. Ms. Ruqia Bahar, ADEO and Mr. Muhammad Imran, Assistant alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for official respondents present. Mr. Fazal Shah Mohmand, Advocate on behalf of private respondent No. 3 present and submitted fresh Wakalatnama, which is placed on file.

Learned counsel for private respondent No. 3 stated at the bar that private respondent No. 3 was proceeded against ex-parte vide order dated 19.08.2024. Learned counsel for the appellant stated that he is has no objection on setting aside of ex-parte proceedings initiated against private respondent No. 3. In his respect, endorsement of learned counsel for the appellant was obtained on the margin of copy of application. Furthermore, the law favors adjudication on merit by avoiding technicalities. Accordingly, the application for setting aside the ex-parte proceedings initiated against private respondent No. 3 is accepted. Private respondent No. 03 is allowed to join the proceedings with the direction to submit written reply/comments within 07 days. To come up for arguments on 25/09/2024 before the D.B. Parcha Peshi given to the parties.

  
(Fareeha Paul)  
Member (Executive)

  
(Aurangzeb Khattak)  
Member (Judicial)