

26<sup>th</sup> Jun, 2024

1. Learned counsel for the appellant present. Mr. Umair Azam,  
Additional Advocate General present.

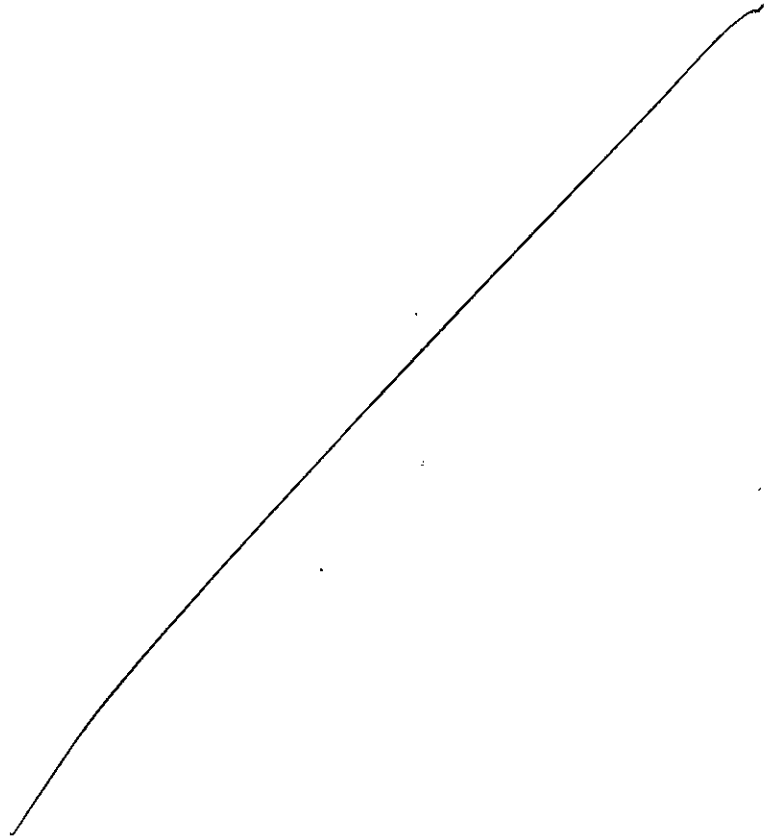
2. Written reply on behalf of the respondents have not been filed  
nor there is anybody present as representative, therefore, they are placed  
ex-parte. The appeal is admitted to full hearing subject to all just and  
legal objections by the other side. The appellant is directed to deposit  
security fee within 10 days. To come up for arguments on 30.09.2024  
before D.B. P.P given to the learned counsel for the appellant.

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دیکھو

**SCANNED  
KPST  
Peshawar**

*\*Adnan Shah, P.A\**

  
(Kalim Arshad Khan)  
Chairman



*I have no objection on setting aside ex-parte proceedings against respondents*  
*counsel. M. Masood Ali Shah*  
*3.09.2024*  
*ATC*

Sept, 2024

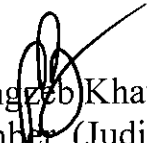
Learned counsel for the appellant present. Mr. Muhammad Raziq, Head Constable alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Learned Deputy District Attorney stated at the bar that the respondents were proceeded against ex-parte vide order dated 26/06/2024 and they have submitted an application for setting-aside ex-parte proceedings initiated against them. Learned counsel for the appellant is having no objection on setting aside of ex-parte proceedings initiated against the respondents and in this respect 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 the respondents is accepted. Respondents are directed to submit written reply/comments within 03 days.

Appellant has also not deposited security fee. He is directed to submit the same within 03 days. To come up for arguments on 19/11/2024 before the D.B. Parcha Peshi given to the parties.



(Fareeha Paul)  
Member (Executive)



(Aurangzeb Khattak)  
Member (Judicial)