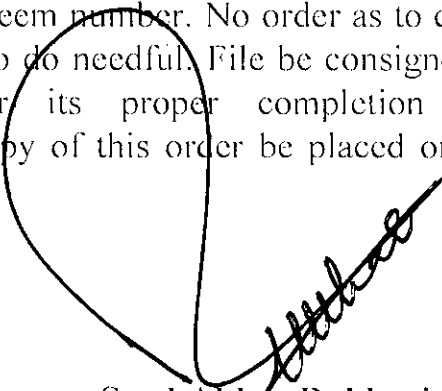


FORM "A"
FORM OF ORDER SHEET

(4)

IN THE COURT OF SYED ABBAS BUKHARI, CIVIL JUDGE/JUDICIAL MAGISTRATE/CJ-II, KALAYA ORAKZAI
Case Title: _____ Vs _____

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order 05	15.07.2023	<p>Parties alongwith of counsels present. Record received. Counsel for respondents submitted reply to the application for restoration which is placed on file. Vide this order I intend to dispose of instant application for restoration of suit no. 26/1 of 2022. Arguments already heard and record perused. Now on perusal of the record and valuable assistance of both the learned counsels for the parties, this court is of the view that the suit in hand was previously dismissed in default due to non-appearance of petitioner vide order no. 29 dated 02.05.2023. Perusal of the record further transpire that the application in hand was filed on 29.05.2023 i.e. about 27 days of dismissal, which is within time. Furthermore, law appreciates decision of cases on merits rather than technicalities. Moreover, in order to meet the ends of justice and further to provide equal opportunity to the plaintiff to defend his valuable rights, there is no legal bar if the petition in hand is allowed.</p> <p>In given circumstances the application in hand is hereby allowed and suit no. 26/1 of 2022 of petitioner is hereby restored with its old neem number. No order as to costs. Moharrir is directed to do needful. File be consigned to Record Room after its proper completion and compilation, while copy of this order be placed on the original suit file.</p> <p><u>Announced</u> 15.07.2023</p> <p style="text-align: right;"> <u>Syed Abbas Bukhari</u> Civil Judge-II Tehsil Courts, Kalaya Orakzai</p>