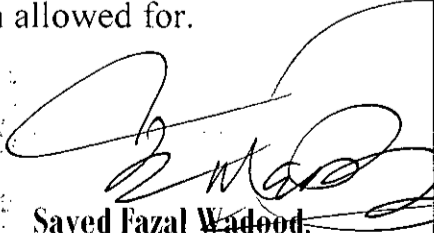| Serial No of order or proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	2	3
Order No.3	15.11.2023	Mr. Bilal, Clerk of the counsel for appellants and respondent Shahid Ullah in person along with Mr. Sana Ullah Khan Advocate are in attendance.

Mr. Sana Ullah Khan Advocate representing respondent informed the Court that evidence of the parties have already been adduced and final arguments had been heard by learned Trial Court. The case has been fixed therein for final adjudication in tommorrow i.e 16/11/2023: whereas, record is before this Court in pending Civil Revision. He added that instant Civil Revision has lost his value as the case is at final stage of announcement of Judgement by tommorrow. Confronting the situation, the Clerk on behalf of appellant stated at the bar that we are going to withdraw the case on next date as the counsel for appellant is not available today. When withdrawal is under pipeline, adjourning the case for mere conduct of formality will obviously amount to miscarrage of justice. An appellant can withdraw the appeal at his own choice at any time (2006 YLR 3128). Therefore, statement at the bar is conceded and instant civil revision is dismissed as withdrawn. Cost shall follow the event.

The record requisitioned be sent back with copy of this Order in today so that the case pending before the learned Trial Judge may not be delayed unnecessarily; whereas, case file of this Court be consigned to District Record Room, Orakzai after its necessary completion and compilation within the span allowed for.

<u>Announced in open Court.</u>

Sayed Fazal Wadood,
ADJ. Orakzai at Baber Mela