

Case Title: Paina Jan Vs Inayat Ali etc

Or.....04
06.12.2021

Petitioner through counsel present. No one for the respondents present.

Through my this single order, I intend to dispose off an application for restoration of the petition titled as "Paina Jan VS Inayat Ali etc", dismissed in default by this court on 08.10.2021, filed by the petitioner against the respondents.

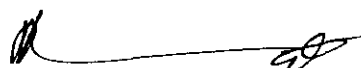
The respondents could not be served because the petitioner does not know the changed address of the respondents as she is a poor and illiterate lady and reportedly the respondents are residing somewhere in Rawalpindi, hence, they were placed and proceeded ex-parte.

Ex-parte arguments heard and record perused.

After hearing of ex-parte arguments and perusal of the record I am of the opinion that the aforesaid petition was dismissed in default on 08.10.2021, while the instant petition for restoration of the same has been filed on 11.10.2021, Thus, the petition is within time. So far as the question of non-service of the respondents is concerned, keeping in view the special circumstances, of the petitioner and to avoid technicalities in the achieving of the ultimate ends of justice, the application in hand is **accepted** and the petition titled as "Paina Jan VS Inayat Ali etc" dismissed in default on 08.10.2021, is hereby restored.

Moharrir of the court is directed to restore the aforesaid petition in its original neem with further directions to consign the instant file after its completion and compilation while place the copy of the same on the original petition file.

Announced
06.12.2021


(Rehmat Ullah Wazir)
Civil Judge-I,
Camp Court, Kalaya, Orakzai