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FORM "A"
FORM OF ORDER SHEET

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

PSerial 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	01.02.2024	<p><i>Ds-04 18 12 2023</i> Parties alongwith counsel present. Arguments heard. To come up for order on 1-2-2024.</p> <p>Parties alongwith of counsels present. Counsel for respondents submitted reply to the application for restoration which is placed on file. Vide this order I intend to dispose of instant applications for restoration of suit no. 47/1 of 2023 and 13/6 of 2023. Arguments 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 orders no. 12 dated 28.10.2023. Perusal of the record further transpire that the application in hand was filed on 13.11.2023 i.e. about 15 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 plaintiffs to defend his valuable rights, there is no legal bar if the petition in hand is allowed. In given circumstances the applications in hand are hereby allowed and suit no. 47/1 of 2023 and 13/6 of 2023 of petitioner is hereby restored with its old neem number. No order as to costs. Moharrit 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>Announced 01.02.2024</p> <p><i>Syed Abbas Bukhari</i> Syed Abbas Bukhari Civil Judge-II Tehsil Courts Kalaya</p>