

Order No.09
01.07.2022

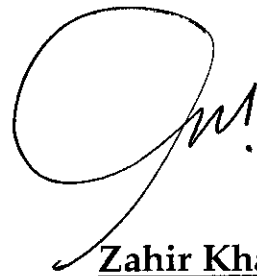
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Parties along with counsel present. Learned counsel for defendants/respondents marked no objection on the acceptance of application subject to cost. Arguments on application heard and record perused.

This is an application for restoration of Suit No. 94/1 of 2019 which was dismissed for want of prosecution on 12.07.2021 and application in hand was filed on 18.09.2021 which is not within time, however, learned counsel for defendants/respondents marked no objection subject to cost. In plethora of judgements it is held that cases should be decided on merits rather on technicalities. Evidence of plaintiffs has already been recorded and main suit is fixed for evidence of defendants, therefore, for the above reasons, application is allowed subject to cost of Rs.4000/-.

The instant file be consigned to record room after necessary completion.

Announced
01.07.2022



Zahir Khan
Civil Judge-I, Kalaya, Orakzai

Cost of Rs 4000/-
Received by: Harizat Akhtar