

**ORDER SHEET**  
**IN THE ISLAMABAD HIGH COURT, ISLAMABAD**  
**JUDICIAL DEPARTMENT**

C.M (Ind.) no. 1544 of 2019

Nadeem Akhtar  
Vs  
Dr. Nasiruddin Khokhar, etc.

S. No. of order/ proceedings	Date of order/ proceedings	Order with signature of Judge and that of parties or counsel where necessary.
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01.	<u>16-04-2019.</u>	Mr. Muhammad Saleem Khan Tanoli, Advocate for the applicant.
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This application filed under section 12(2) of the Code of the Civil Procedure, 1908 (hereinafter referred to as "**CPC**") is directed against order, dated 13.12.2018 passed in W.P No. 4732/2018 (Dr. Nasir ud Din Khokhar Vs. Federation of Pakistan, etc.).

2. The learned Counsel for the applicant has been heard at length. He has argued that respondent no.1 had misled this Court and through fraud and misrepresentation had obtained order, dated 13.12.2018, passed in W.P No. 4732/2018.

3. The learned Counsel has been heard and the record perused with his able assistance.

4. A plain reading of order, dated 13.12.2018, passed in W.P No. 4732/2018

shows that this Court had merely directed the Pakistan Medical and Dental Council to decide the pending appeal preferred by respondent no.1. The learned Counsel for the applicant has conceded that appeal of respondent no.1 was pending before the Pakistan Medical and Dental Council when order, dated 13.12.2018 was passed. There is no force in the argument raised by the learned Counsel for the applicant that order, dated 13.12.2018, passed in W.P No. 4732/2018 was obtained through fraud or misrepresentation.

5. For the above reasons, the instant application is without merit and, therefore, accordingly dismissed.

**(CHIEF JUSTICE)**