

Form-A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Restoration Application No. 444/2022

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	02.08.2022	<p>The application for restoration of appeal No. 422/2012 submitted today by Mr. Asif Youafzai Advocate. It is fixed for hearing before Division Bench at Peshawar on _____.</p> <p>Original file be requisitioned. Notices to the applicant and his counsel be also issued for the date fixed.</p> <p style="text-align: right;">By the order of Chairman</p> <p style="text-align: right;">REGISTRAR</p>

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR.

Restoration Application No. 444/2022  
Appeal No. 422/2012

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 883

Dated 01/08/2022

Sultan Mehmood

V/S

Govt of KP:

.....  
**APPLICATION FOR RESTORATION OF APPLICATION WHICH WAS  
DISMISSED IN DEFAULT 15/07/2022 DUE TO NON PROSECUTION.**  
.....



**RESPECTFULLY SHEWETH:**

1. That the instant appeal was pending before this august Tribunal which was fixed for arguments on 15.07.2022.
2. That counsel for the appellant busy before the supreme court therefore cannot attend the case and the appeal was dismissed in default due to non prosecution.
3. That the appellant has good prime facie case, if decide on merit.

It is, therefore, most humbly prayed that on acceptance of this application, the appeal may kindly be restored which was dismissed in default due to non prosecution and decides the same on merit. Any other remedy which this august Tribunal deems fit and appropriate that may also be awarded in favour of the appellant.

Appellant

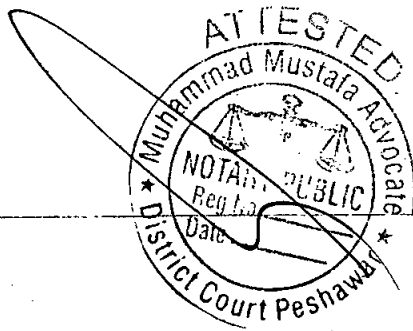
THROUGH:

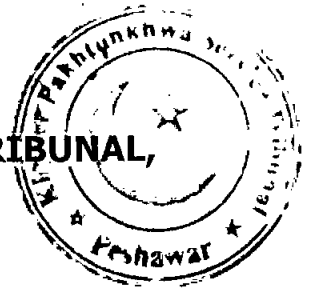
  
(M. ASIF YOUSAFZAI)  
ADVOCATE SUPREME COURT  
  
(SYED NOMAN ALI BUKHARI)  
ADVOCATE HIGH COURT

**AFFIDAVIT:**

It is affirmed and declared that the contents of the above Application are true and correct to the best of my knowledge and belief.

  
DEPONENT





**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.**

**Service Appeal No. 422 /2012**

*384*  
*20-3-2012*

Mr. Sultan Mahmood Khattak, Member,  
Khyber Pakhtunkhwa, Service Tribunal, Peshawar.

.....(Appellant)

VERSUS

- 1. Government of Khyber Pakhtunkhwa through The Chief Secretary, KPK Peshawar.
- 2. The Chief Secretary, Government of Khyber Pakhtunkhwa, KPK, Peshawar.
- 3. The Secretary, Establishment & Administration Department, Government of Khyber Pakhtunkhwa, KPK, Peshawar.

*Deleted from the list of respondents vide order dated 11/11/13*

- 4. The Section Officer (E-I), Government of Khyber Pakhtunkhwa, Establishment & Administration Department, KPK, Peshawar.
- 5. The Chairman Khyber Pakhtunkhwa Service Tribunal, through the Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
- 6. Mrs. Rukhsana Rahman (PCS SG BS-21) through respondent No.4 above.

.....(Respondents)

*20/3/12*

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974, AGAINST THE NOTIFICATION NO.SO(E-I) E&AD/5-1/2001, DATED 27.10.2011 OF THE GOVERNMENT OF KHYBER PAKHTUNKHWA ESTABLISHMENT & ADMINISTRATION DEPARTMENT WHEREBY A JUNIOR OFFICER (RESPONDENT NO.6) HAS BEEN PROMOTED TO BPS-21 BY IGNORING THE APPELLANT DESPITE BEING ELIGIBLE AND SENIOR MOST AND AGAINST NOT TAKING ACTION ON THE REPRESENTATION WITHIN STATUTORY PERIOD OF NINETY DAYS.

*2/4/2012*

*Examiner*  
Khyber Pakhtunkhwa  
Service Tribunal

Appeal No. 422/2012

15<sup>th</sup> July, 2022


1. None present for the appellant. Mr. Kabirullah Khattak, Addl: AG for respondents present.

2. Called several times till last hours of the court but nobody turned up on behalf of the appellant. In view of the above, the instant service appeal is dismissed in default. Consign.

3. Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 15<sup>th</sup> day of July, 2022.

  
(Fareeha Paul)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman



15-7-22

10/-

10/-

29-7-22  
29-7-22