



Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 454/2022

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	03.08.2022	
		<p>The application for restoration of execution petition No. 05/2020 submitted today by Mr. Yasir Saleem Advocate. It is fixed for hearing before Division Bench at Peshawar on _____ . 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>

SCANNED
KFST
Peshawar

5. *That there is no legal harm on acceptance of the instant application.*
6. *That the instant application is well within time.*

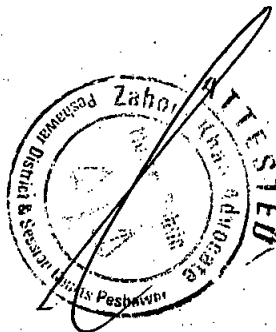
It is, therefore that this application may please be accepted and the Execution Petition may kindly be restored and decided on merits.

M/S
Applicant / Appellant
Through:
[Signature]
YASIR SALEEM
Advocate,
High Court Peshawar

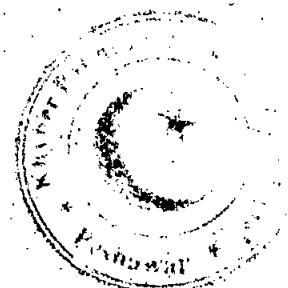
AFFIDAVIT

I, **Yasir Saleem Advocate**, (*as per instructions of my client*), do hereby solemnly affirm that the contents of this accompanying **Restoration Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.

[Signature]
ADVOCATE



03 AUG 2022



**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

In the matter of
Appeal No. 230/2006
Decided on 30.04.2007.

Execution Petition no. 5/20

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 35

Date 7-1-2020

Mst. Narges Begum PTC, FCS Gulalae, Shawal, District North
Waziristan (Applicant)

VERSUS

1. The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa Peshawar.
 2. The Secretary Elementary and Secondary Department Khyber Pakhtunkhwa Peshawar.
 3. The Director Elementary and Secondary Department Khyber Pakhtunkhwa Peshawar.
 4. The District Education Officer, District North Waziristan.
- (Respondents)

Application for the implementation of the Judgment and Order dated 30.04.2007 in captioned connected service appeals of this Honourable Tribunal.

Respectfully Submitted:

1. That the above noted service appeal was pending adjudication in this Honourable Tribunal and was decided vide judgment and order dated 30.04.2007.
2. That vide judgment and order dated 30.04.2007, this Honorable Tribunal allowed the appeal and reinstated the appellant. The operating Para of the Judgment and order, is reproduced below:

"Accordingly the appeal is accepted the impugned orders are set-aside and the appellant is reinstated into service. However the intervening period be treated as leave of kind due."

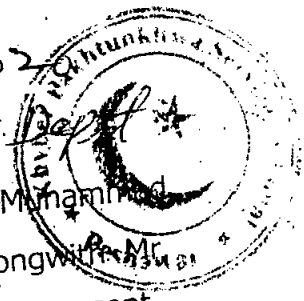
(Copy of the Judgment and order dated 30.04.2007, is attached as Annexure A)

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

3. That the judgment and order of this Honourable Tribunal, was duly communicated to the respondent by the applicant vide various applications for implementation.
4. That initially the applicant was told that she would be adjusted as soon the vacancy becomes available and thereby the applicant was kept on waiting and waiting for so many years despite the fact that the

Execution Petition No. 5/2021
Nargas Begum vs Edu Dept



27.10.2021

None for the petitioner present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Muhammad Nisar, Focal Person for respondents present.

The proceedings recorded in the previous order sheets reflect the lack of interest of the petitioner in pursuit of the present execution petition. The point of maintainability of this execution petition is yet to be determined which in view of the absence of the petitioner on various dates is pending. On last date clerk of counsel of the petitioner was present and last chance was given to the petitioner for arguments on point of maintainability. Neither the petitioner nor her counsel have marked their attendance today; therefore, this execution petition is dismissed due to non-prosecution. File be consigned to the record room.

Announced:
27.10.2021

[Signature]
Chairman

Name of Presenting Officer 25-7-22
Number of Words 800
Charging Fee 10-00
Text 16-00
Number of Copies —
Date of Receipt of Copy 27-7-22
Date of Delivery of Copy 27-7-22

Certified to be true copy
[Signature]
Khalid Iqbal
Service Tribunal
Petitioner