



Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 381 /2022

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	30.06.2022	<p>The application for restoration of appeal No. 15289//2020 submitted today by Mr. Zia-ud-Din Khan Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p> REGISTRAR,</p>
2	5-7, 2022	<p>This restoration application is entrusted to Division Bench at Peshawar to be put up there on <u>13.9.2022</u>. Original file be requisitioned. Notices to the applicant and his counsel be also issued for the date fixed.</p> <p> CHAIRMAN</p>

*Counsel informed
By Telephone.
11-8-2022*

576
30/6/22

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

Restoration Application no. 381/2022

Jan Alam

VERSUS

Govt. of KPK

APPLICATION FOR RESTORATION OF
APPEAL IN THE ABOVE TITLED CASE.

Respectfully Sheweth:-

1. That the above mentioned appeal was fixed before the Honorable Bench for dated: 17-05-2022.
2. That the counsel for the appellant as well as the appellant was unaware of the case fixation Dated: 17-05-2022 before the honorable court/Tribunal.


(Copy of order dated 17-05-2022 annexed)

3. That on dated: 25-04-2022 the council for the appellant humbly requested before the honorable court that the case in hand shall be fixed for hearing on 30-06-2022 with other connected cases. But unfortunately, the case was fixed in 17-05-2022.
4. That the learned bench dismissed the appeal of the appellant in none-prosecution due to non-availability of the appellant and his counsel.
5. It is important to mention that neither any service/summon has been served/communicated to the appellant and his counsel regarding the case fixation.
6. That the absence of the appellant and his council was not intentional but due to misunderstanding in the date of hearing of the appeal in hand.

It is therefore, most humbly prayed that on acceptance of this restoration application, the appeal of the appellant may kindly be restored.

Any other relief which this Honourable Bench deems fit and proper may also be awarded to the appellant.

Dated: 30-06-2022

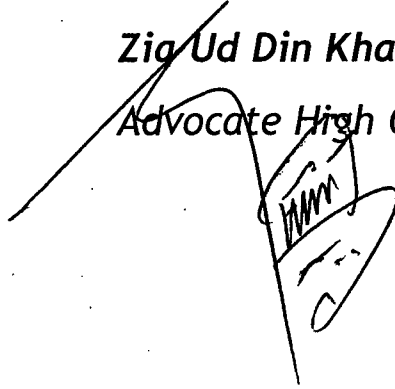


Appellant

Through

Zig Ud Din Khan


Advocate High Court



Verification:-

Verified on oath that the contents of the instant application are true and correct to the best of my knowledge and belief.

Attested
30/6/2022



MIRI ELGHAT ULLAH SHAH
Sr. Advocate
Commissioner / Notary Public
High Court Pakistan

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER PAKHYUNKHWA PESHAWAR

Service Appeal No. 15289 -P/2020

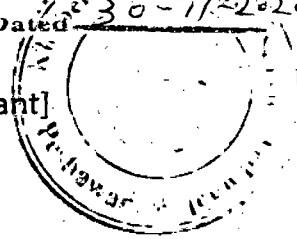
Khyber Pakhtunkhwa Service Tribunal

Diary No. 15781

Jan. Alam Ex-Naib Subedar Regimental No. 2636 Bajawar Levies,
Khar Sub-Division District Bajawar Khyber Pakhtunkhwa.

Dated 30-11-2020

[Appellant]



VERSUS

- 1) The Secretary Home & Tribal Affairs Department Peshawar, Central Civil Secretariat Peshawar Khyber Pakhtunkhwa.
- 2) The Inspector General of Police Khyber Pakhtunkhwa, Central Police Lines Peshawar.
- 3) The District Police Officer (DPO) Bajawar at Civil Officers Colony Khar District Bajawar Khyber Pakhtunkhwa.
- 4) The Deputy Commissioner Bajawar at Civil Officers Colony Khar District Bajawar Khyber Pakhtunkhwa.

[Respondents]

.....

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUDGNE OFFICE ORDER DATED 06/10/2020 WHEREBY THE DEPARTMENTAL APPEAL BEARING NO. CS (F)/L & K/4-LEVY/APPEAL/2548-52, DATED 03/11/2020 OF THE APPELLANT REGARDING HIS DEPARTMENTAL PROMOTION HAS BEEN DISMISSED.

Respectfully Sheweth;

BRIEF FACTS

[Handwritten signature]
Khyber Pakhtunkhwa Service Tribunal
Peshawar

Filed to-day
Registrar
30/11/2020

e-submitted to -day
and filed.
Registrar
30/11/2020

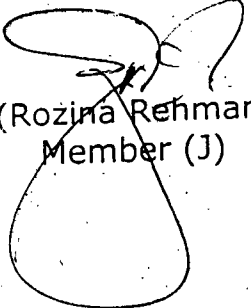
- 1) That the Appellant is a respectable Law-abiding citizen of Pakistan and belongs to a respectable family. As per version of the appellant he was initially appointed against the post/vacancy of epahi in the respondents department in 1985 under the then repealed Laws wherein the appellant performed his services with zeal and zest to the entire satisfaction of his superiors. While; it is worth mentioning that the appellant has been promoted from time to time to the post of L/Naik & N/Subedar keeping in view his exceptional and gleaming service record.
- 2) It is pertinent to mention here that the Respondents made alterations/amendments in the 'Federal Levies Force (Services) Rules 2012' frequently and in this regard the respondents further amended

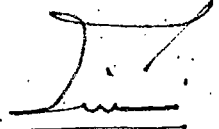
ORDER
17.05.2022

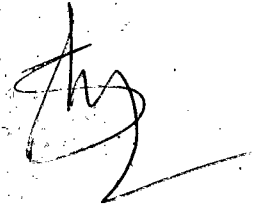
Nemo for the appellant. Mr. Noor Zaman Khattak, District Attorney for the present.

The appeal in hand was called on for hearing after various intervals, however none appeared on behalf of the appellant till the closing time, therefore, the appeal in hand stands dismissed in default. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
17.05.2022


(Rozina Rehman)
Member (J)


(Salah-ud-Din)
Member (J)



30/06/2022

2000
22/-
41/-
26/-

30/06/22
30/06/22

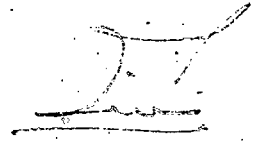
25.04.2022

5
Appellant alongwith his counsel present. Mr. Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

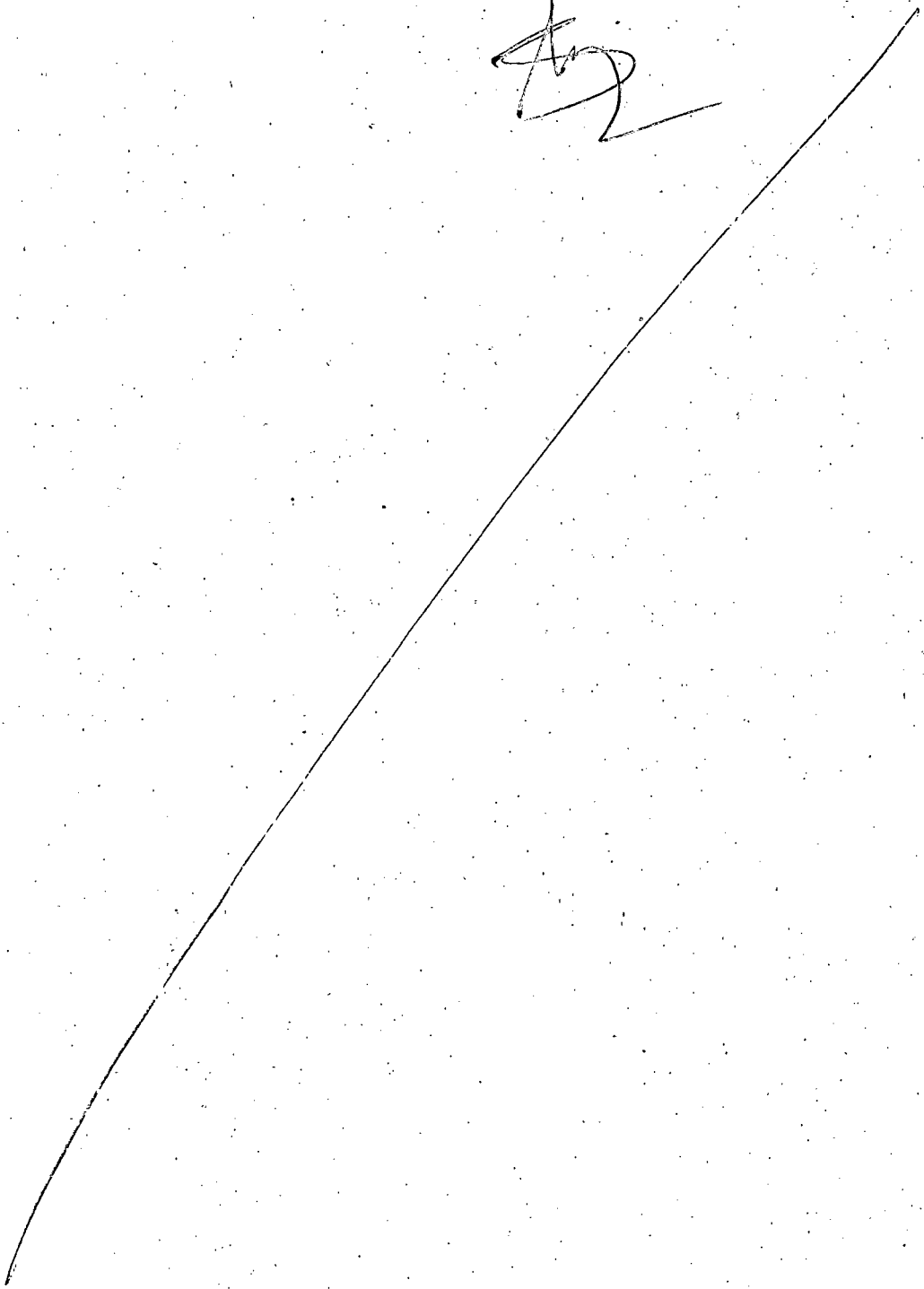
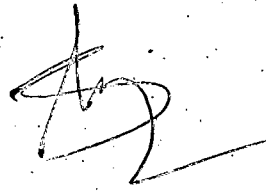
Appellant stated at the bar that other service appeals of similar nature are pending adjudication before this Tribunal and require to be disposed of by same bench, therefore, the appeal may be adjourned so as to enable him to do the needful for the same. Adjournd. To come up for arguments on 17.05.2022 before the D.B.



(Rozina Rehman)
Member (J)

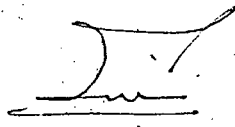


(Salah-Ud-Din)
Member (J)



19.11.2021


Appellant alongwith his counsel present. Mr. Sajjad Ahmed, Junior Clerk alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present and sought time for submission of reply/comments. Last opportunity given. To come up for submission of reply/comments before the S.B on 10.01.2022.

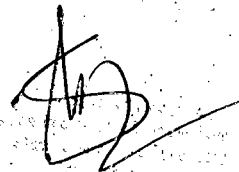

(Salah-Ud-Din)
Member (J)

10.01.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG alongwith Mr. Sajjad Ahmed, Junior Clerk for respondents present.

Reply/comments on behalf of respondents are still awaited. Representative of respondents sought time for submission of reply/comments. Another last opportunity is granted to respondents to furnish reply/comments on or before next date, failing which their right to submit reply/comments shall be deemed as struck off by virtue of this order. To come up for arguments before the D.B on 25.04.2022.


(Atiq-Ur-Rehman Wazir)
Member (E)

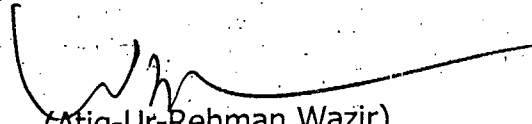


05.04.2021

Nemo for appellant.

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Security and process fee not deposit. Notice be issued to appellant to deposit security and process fee. To come up on 12.07.2021 before S.B.


(Atiq-Ur-Rehman Wazir)
Member (E)

12.07.2021

Counsel for the appellant present and submitted an application for extension of time to deposit security and process fee. Appellant is required to deposit security and process fee within 03 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 19.11.2021 before the D.B.

Appellant Deposited
Security & Process Fee

12/7/21


Chairman

