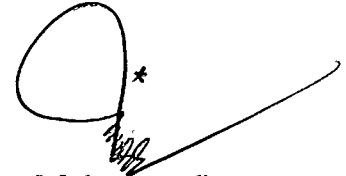


19.07.2022

Learned counsel for the petitioner present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Reply on restoration application not submitted. Learned Additional Advocate General seeks time to contact the respondents for submission of reply on restoration application. To come up for reply and arguments on restoration application before the S.B on 21.09.2022

A handwritten signature in black ink, consisting of a large, stylized loop followed by a long, sweeping horizontal stroke that extends to the right. A small asterisk is placed above the end of the signature.

(Mian Muhammad)
Member (E)

11.01.2022

Learned counsel for the petitioner present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present and sought time for submission of reply/comments. Adjourned. To come up for submission of reply/comments on 08.03.2022 before the S.B.



(Salah-Ud-Din)
Member (J)

08.03.2022


Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 09.06.2022 for the same as before.

Reader.

09.06.2022

None for petitioner present. Lawyers are on strike. Mr. Muhammad Riaz Paindahkhel, Assistant Advocate General for official respondent present.

Previous date was changed on Reader note. Therefore, notices be issued to the respondents for submission of implementation report. Adjourned. To come up for implementation report on 19.07.2022 before S.B.



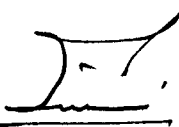


(Fareeha Paul)
Member (E)

Form-A
FORM OF ORDER SHEET

Court of _____

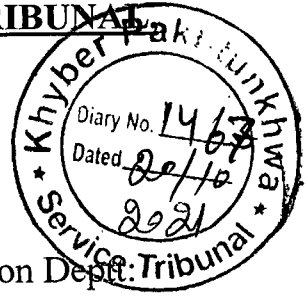
Appeals Restoration Application No. 245/2021

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	20.10.2021	<p>The application for restoration of appeal no. 1711/2019 submitted by Uzma Syed Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2		<p>This restoration application is entrusted to S. Bench to be put up there on <u>19/11/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	19.11.2021	<p>Learned counsel for the petitioner present. Notices be issued to the respondents for submission of reply/comments for 11.01.2022 before the S.B.</p> <p style="text-align: right;"> (Salah-Ud-Din) Member (J)</p>

BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL
PESHAWAR.

APPEAL NO. 1711/2019

Restoration Appli. no. 245/2021



Asif Shehzad

V/S

Education Dept.

APPLICATION FOR RESTORATION OF APPEAL NO.
1711/2019 WHICH WAS DISMISSED ON DEFAULT VIDE
ORDER DATED 21.09.2021.

RESPECTFULLY SHEWETH:

1. That the instant appeal No. 1711/2019 was filed before this Honorable Tribunal.
2. That the instant appeal was in preliminary stage on date 21.09.2021 and his counsel is busy in Mardan court in personal case and the appeal of the appellant was dismissed in default vide order dated 21.09.2021. **Copy of order is attached as annexure-A.**
3. That the appellant after getting knowledge of dismissed in default order, took the order sheet immediately and file the application. The after getting knowledge application is well in time.
4. That it is in the interest of justice and considering the above submissions that the appeal should be dealt on merit rather to dismiss on default.

It is therefore, most humbly prayed, that the instant appeal No. 761/2013 may be restore on the acceptance of this application.

Asif Shehzad
APPELLANT

Through:

Uzma Syed
ADVOCATE, High Court

AFFIDAVIT

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



Asif Shehzad
DEPONENT

(1)

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

Appeal No. 1711 /2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 915

Dated 09/17/2019

Mr. Asif Shahzad, PSHT (BPS-16), GPS Akbar Khan,
District Mardan.

.....Appellant

VERSUS

1. The Director (E & SE) Department, Khyber Pakhtunkhwa,
Peshawar.
2. The District Education Officer, District Mardan.

.....Respondents

**APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974
AGAINST THE IMPUGNED APPELLATE ORDER
DATED 04/06/2019 WHEREBY
DEPARTMENTAL APPEAL OF THE APPELLANT
FOR ADJUSTMENT IN NEARBY STATION, AS
PSHT (BPS-16) WAS REJECTED.**

PRAYER:

Filed to-day

Registrar

2/7/19

**THAT ON ACCEPTANCE OF THIS APPEAL, THE
IMPUGNED APPELLATE ORDER DATED
04/06/2019 MAY VERY KINDLY BE SET ASIDE
AND THE APPELLATE MAY BE ADJUSTED AS
PSHT (BPS-16) IN NEARBY SCHOOL AT HIS
HOME STATION. ANY OTHER REMEDY WHICH
THIS AUGUST TRIBUNAL DEEMS FIT, MAY**

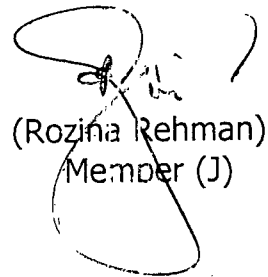
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar


21.09.2021

Nemo for appellant.

Perusal of order sheet dated 17.06.2021 would reveal that last opportunity for filing of amended appeal was given to the appellant and despite directions, he failed to file the amended appeal till today, hence, the appeal stands dismissed for non-prosecution as well as for non-compliance of the order of this Tribunal. No order as to costs. File be consigned to the record room.

Announced.
21.09.2021


(Rozina Rehman)
Member (J)



06-10-2021

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12/10/21

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

APPEAL NO. 1711/2019

Restoration Appli. no. 245/2021

Asif Shehzad

V/S

Education Deptt:

**APPLICATION FOR RESTORATION OF APPEAL NO.
1711/2019 WHICH WAS DISMISSED ON DEFAULT VIDE
ORDER DATED 21.09.2021.**

RESPECTFULLY SHEWETH:

1. That the instant appeal No. 1711/2019 was filed before this Honorable Tribunal.
2. That the instant appeal was in preliminary stage on date 21.09.2021 and his counsel is busy in Mardan court in personal case and the appeal of the appellant was dismissed in default vide order dated 21.09.2021. **Copy of order is attached as annexure-A.**
3. That the appellant after getting knowledge of dismissed in default order, took the order sheet immediately and file the application. The after getting knowledge application is well in time.
4. That it is in the interest of justice and considering the above submissions that the appeal should be dealt on merit rather to dismiss on default.

It is therefore, most humbly prayed, that the instant appeal No. 761/2013 may be restore on the acceptance of this application.

Asif Shehzad
APPELLANT

Through:

Uzma Syed
ADVOCATE, High Court

AFFIDAVIT

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

Asif Shehzad
DEPONENT

①

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

Appeal No. 1711 /2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 915

Dated 02/7/2019

Mr. Asif Shahzad, PSHT (BPS-16), GPS Akbar Khan,
District Mardan.

.....Appellant

VERSUS

1. The Director (E & SE) Department, Khyber Pakhtunkhwa,
Peshawar.
2. The District Education Officer, District Mardan.

.....Respondents

**APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974
AGAINST THE IMPUGNED APPELLATE ORDER
DATED 04/06/2019 WHEREBY
DEPARTMENTAL APPEAL OF THE APPELLANT
FOR ADJUSTMENT IN NEARBY STATION, AS
PSHT (BPS-16) WAS REJECTED.**


PRAYER:

Filed to-day

Registrar

2/7/19

**THAT ON ACCEPTANCE OF THIS APPEAL, THE
IMPUGNED APPELLATE ORDER DATED
04/06/2019 MAY VERY KINDLY BE SET ASIDE
AND THE APPELLATE MAY BE ADJUSTED AS
PSHT (BPS-16) IN NEARBY SCHOOL AT HIS
HOME STATION. ANY OTHER REMEDY WHICH
THIS AUGUST TRIBUNAL DEEMS FIT, MAY**

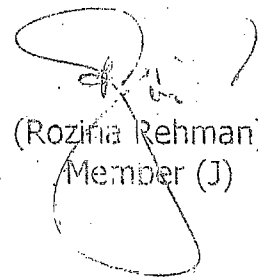


21.09.2021

Nemo for appellant.

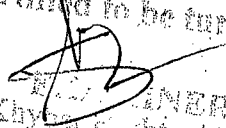
Perusal of order sheet dated 17.06.2021 would reveal that last opportunity for filing of amended appeal was given to the appellant and despite directions, he failed to file the amended appeal till today, hence, the appeal stands dismissed for non-prosecution as well as for non-compliance of the order of this Tribunal. No order as to costs. File be consigned to the record room.

Announced.
21.09.2021



(Rozina Rehman)
Member (J)

Certified to be true copy


MEMBER
Khyber Pakhtunkhwa
Service Tribunal, Date of
Posting

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

APPEAL NO. 1711/2019

Restoration Appli. no. 245/2021

Asif Shehzad

V/S

Education Deptt:

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1711/2019 WHICH WAS DISMISSED ON DEFAULT VIDE
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It is therefore, most humbly prayed, that the instant appeal No. 761/2013 may be restore on the acceptance of this application.

Uzma Syed
APPELLANT

Through:

Uzma Syed
ADVOCATE, High Court

AFFIDAVIT

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

Asif Shehzad
DEPONENT

①

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

Appeal No. 1711 /2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 915

Dated 02/7/2019

Mr. Asif Shahzad, PSHT (BPS-16); GPS Akbar Khan,
District Mardan.

.....Appellant

VERSUS

1. The Director (E & SE) Department, Khyber Pakhtunkhwa,
Peshawar.
2. The District Education Officer, District Mardan.

.....Respondents

**APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974
AGAINST THE IMPUGNED APPELLATE ORDER
DATED 04/06/2019 WHEREBY
DEPARTMENTAL APPEAL OF THE APPELLANT
FOR ADJUSTMENT IN NEARBY STATION, AS
PSHT (BPS-16) WAS REJECTED.**

PRAYER:

Filed to-day

Registrar

2/7/19

**THAT ON ACCEPTANCE OF THIS APPEAL, THE
IMPUGNED APPELLATE ORDER DATED
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AND THE APPELLATE MAY BE ADJUSTED AS
PSHT (BPS-16) IN NEARBY SCHOOL AT HIS
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THIS AUGUST TRIBUNAL DEEMS FIT, MAY**

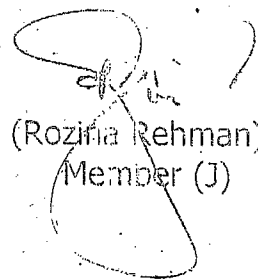


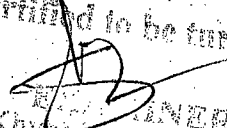
21.09.2021

Nemo for appellant.

Perusal of order sheet dated 17.06.2021 would reveal that last opportunity for filing of amended appeal was given to the appellant and despite directions, he failed to file the amended appeal till today; hence, the appeal stands dismissed for non-prosecution as well as for non-compliance of the order of this Tribunal. No order as to costs. File be consigned to the record room.

Announced.
21.09.2021


(Rozina Rehman)
Member (J)

Certified to be true copy

SENIOR CLERK
Khyber Pakhtunkhwa
Service Tribunal, Peshawar

08-10-2021

Number 800
Copies 10/c
Pages 10/c
Date
Date

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12/10/21

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR.

No.

R.A. No. 245/2021

Regd.

i Appeal No. 1711 of 20CP.

Asib Shahzad Appellant/Petitioner

Versus

Director (E&SE) Pesh. Respondent

Respondent No. 2

Notice to: The Distt. Education Officer, Distt. Mardan.

WHEREAS an appeal/petition under the provision of the ~~Khyber Pakhtunkhwa Province Service Tribunal Act, 1974~~, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 11/1/2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing, 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

R.A ✓ Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this~~

office Notice No. dated.

Given under my hand and the seal of this Court, at Peshawar this 6th

Day of Dec 2021.

(for Reply)

M. P. P.

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR. S.B

No.

R.A. No. 245/2021

Appeal No. 1711 of 20 19

Asif Shahzad

Appellant/Petitioner

Versus

Director (E&SE) KP Pesh

Respondent

Respondent No. 1

Notice to: -

The Director (E&SE) Deptt: KPK
 Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed, that the said appeal/petition is fixed for hearing before the Tribunal *on 11/01/2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. ^{R.A. ✓} Copy of appeal has already been sent to you vide this

office Notice No. dated.....

Given under my hand and the seal of this Court, at Peshawar this 6th

Day of Dec 20 21

1 for Reply?

[Signature]
15/12/21

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

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“B”

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

No. *Regd*

EP 248/2021

SB

Appeal No. *1711* of 20*21*

Mr Asif shahzad Appellant/Petitioner

Versus

The director (E & SE) depart kPk Peshawar Respondent

Respondent No. *(2)*

Notice to: *The district education officer, District Mardan*

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on *19/7/2022* at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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E.P ✓

~~Copy of appeal is attached.~~ Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this *17th*.....

Day of *June*.....20*21*.

(Fst Impl-mention Report)

Registrar,
 Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

“B”

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR. S13

No.

EP No. 245/2021:711

Appeal No. of 20 21
Mr. Asif Shahzad

Appellant/Petitioner

The director E & SE depart

KPK Peshawar

Respondent
(1)

Respondent No.

Notice to: The director E & SE depart KPK Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....at 8.00 A.M. If you wish to urge anything against the appelland/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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E.P ✓

Copy of appeal is attached. Copy of appeal has already been sent to you vide this

office Notice No.....dated.....

17th

Given under my hand and the seal of this Court, at Peshawar this.....

Day of..... June 20 22

For Impl-ment-tion Report

[Signature] 28/6/22

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.