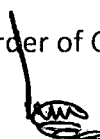



Form-A  
FORM OF ORDER SHEET

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

Restoration Application No. 587/2022

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	03.10.2022	<p style="text-align: center;">The application for restoration of appeal no. 7399/2021 submitted today by Syed Noman Ali Bukhari Advocate. It is fixed for hearing before Division Bench at Peshawar on. Original file be requisitioned.</p> <p style="text-align: right;">By the order of Chairman</p> <p style="text-align: right;"> REGISTRAR </p>

(1)

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

APPEAL NO. 7399/2021

R.A. NO. 587/2022

Sumaira Bibi

V/S

Health Deptt:

**APPLICATION FOR RESTORATION OF APPEAL NO.  
7399/2021 WHICH WAS DISMISSED ON DEFAULT VIDE  
ORDER DATED 13/09/2022.**


**RESPECTFULLY SHEWETH:**

1. That the instant appeal No. 7399/2022 was filed before this Honorable Tribunal against the transfer order.
2. That the instant appeal was in Argument stage at principle Bench Peshawar, on date 13.09.2022. Counsel for the appellant was busy at Service Tribunal Abbottabad Bench and appellant himself was seriously ill. The appeal was dismissed on default on 13.09.2022.
3. That when the counsel return from the Abbottabad got knowledge about the Appeal then immediately filed application on 15/09/2022 for copy of the order dated 13/09/2022, which was handed over to the counsel for appellant on 27/09/2022. **Copy of the order is attached as annexure-A**
4. That it is in the interest of justice that the appeal should be dealt on merit rather to dismiss on default.

It is therefore, most humbly prayed, that the instant appeal No. 7399/2021 may be restore on the acceptance of this application.

**APPELLANT**  
Sumaira Bibi

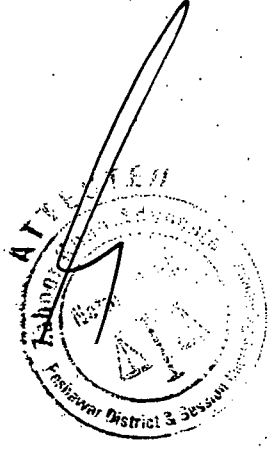
Through:

  
**SYED NOMAN ALI BUKHARI**  
ADVOCATE, HIGH COURT  
PESHAWAR.

**AFFIDAVIT**

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

  
**DEPONENT**



BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 7399 /2021

Miss. Sumaira Bibi D/o Ghazi Khan, Charge Nurse BPS-16,  
King Abdullah Teaching Hospital, Mansehra.

3  
1  
A  
Khyber Pakhtunkhwa  
Service Tribunal

Case No. 7399

Date: 13/09/2022

(APPELLANT)

VERSUS

1. The Secretary to Govt, Health Deptt, KP, Peshawar.
2. The Director General health Services, KP, Peshawar.
3. The Medical Superintendent, King Abdullah Teaching Hospital, Mansehra.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KP SERVICE TRIBUNALS ACT, 1974 READ WITH CLAUSE XIV OF POSTING TRANSFER POLICY, AGAINST THE IMPUGNED TRANSFER ORDER DATED 04.08.2021, COMMUNICATED TO THE APPELLANT THROUGH WHATSAP ON 24.08.2021 AND ALSO AGAINST NOT DECIDING THE APPEAL OF THE APPELLANT WITHIN 15 DAYS AS PROVIDED UNDER CLAUSE XIV OF THE POSTING TRANSFER POLICY.

ORDER

13.09.2022

Nemo for appellant.

Asif Masood Ali Shah learned Deputy District Attorney for the respondents present.

Case was called time and again but neither the appellant nor her counsel turned up till rising of the Bench. Consequently, instant service appeal is hereby dismissed in default for non-prosecution. Parties are left to bear their own costs. File be consigned to the record room.

Announced.  
13.09.2022

(Fareeha Paul)  
Member (E)

(Rozina Rehman)  
Member (J)

Certified to be true copy

(Signature)  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar