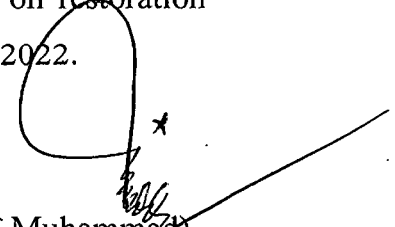


26.09.2022



Learned counsel for the appellant present and requested for adjournment to further prepare the brief. Adjourned. To come up for arguments on restoration application before another S.B on 08.11.2022.


(Mian Muhammad)
Member (E)

Form-A
FORM OF ORDER SHEET

Court of _____

Appeals Restoration Application No. 416/2022

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	27.07.2022	<p>The application for restoration of appeal no. 11472/2020 submitted by Mr. Saleem Ud Din Advocate may be entered in the relevant register and put up to the Court for proper order please. This restoration application is entrusted to S. Bench to be put up there on <u>28-7-22</u></p> <p style="text-align: right;"> REGISTRAR</p>
28.07	2022	<p>Petitioner present through counsel.</p> <p>He made a request was made for adjournment in order to prepare the brie; allowed. To come up for arguments on restoration application on 26.09.2022 before S.B.</p> <p style="text-align: right;"> (Rozina Rehman) Member (J)</p>

**BEFORE THE HONORABLE CHAIRMAN, KPK, SERVICE
TRIBUNAL, PESHAWAR KPK**

(11972) (11472)
Service Appeal No: 11468/2020

R/A No: 416/2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 822

Dated 26/7/22

SUB Saleem S/o Noor Muhammad R/o Charman, District
Bajour.

Put up to the court with
relevant approp.

.....(PETITIONER / APPELLANT)

VERSUS

26/7/22. Govt of Khyber Pakhtunkhwa

through Chief Secretary and others.

.....(RESPONDENTS)

**APPLICATION FOR RESTORATION OF ABOVE
TITLED APPEAL DISMISSED ON DATED:
12/05/2022, IN DEFAULT / NON COMPLIANCE ON
PART OF THE APPELLANT.**

Respectfully Sheweth;

- 1) That, the above titled Appeal was pending for disposal before this Honorable court, which was dismissed on dated: 12/05/2022, due to noncompliance on part of the Petitioner / Appellant. *(Copy of order dated 12/05/2022 is attached).*
- 2) That the petitioner / appellant have deposited the security amount by the order of Hon'ble Court.
- 3) That, there is no amount of security is outstanding against the petitioner / appellant.

- 4) That, valuable rights of the Petitioner / Appellant is attached with the instant appeal and if the Appeal was not restored, the Petitioner / Appellant would suffer irreparable loss.
- 5) That, there is no legal bar on acceptance of instant application.
- 6) That, any other ground would be agitated at time of arguments with prior permission of this Hon'ble Court.

It is, therefore, most humbly prayed that on acceptance of instant application, the appeal of the Petitioner / Appellant may kindly be restored in the best interest of justice.

Dated: 25/07/2022

PETITIONER/ APPELLANT

Thorough

SALEEM UD DIN

Advocate, High Court, Peshawar

Cell No: 0346-9122502

Alphabet.

The above mention facts are true and correct in best of my knowledge
Deponent



1

**BEFORE THE HON'BLE CHAIRMAN KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**



(In Appellate Jurisdiction)

Service Appeal No. 11472 of 2020

Case No. 10366
Date 16/9/2020

Gul Saleem Son of Noor Muhammad Resident of Charman,
District Bajuar..... *Appellant*

VERSUS

1. Govt: of Khyber Pakhtunkhwa through Chief Secretary at Civil Secretariat at Peshawar.
2. The Secretary, Elementary & Secondary Education Department, Govt: of Khyber Pakhtunkhwa at Civil Secretariat at Peshawar.
3. The Director, Elementary & Secondary Education Department, Peshawar.
4. The Additional Director, Elementary & Secondary Education Department for the newly merged districts / areas, Govt: of Khyber Pakhtunkhwa at Peshawar.
5. The District Education Officer, District Bajuar at Khar.

..... Respondents

Filed to-day

16/9/2020

**SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974
READ WITH ALL ENABLING PROVISIONS OF LAW AS
AMENDED FROM TIME TO TIME AGAINST THE
SENIORITY LIST OF MALE CERTIFIED TEACHERS
(CTs) OF DISTRICT BAJUAR ISSUED ON 07/04/2020 BY
THE RESPONDENT NO. 5.**

PRAYER:

Certified to be true copy

[Signature]

RECORDED TO-DAY
AND INDEXED

16/9/2020

ORDER
12.05.2022

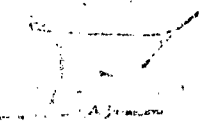
Nemo for the appellant.

Vide order dated 27.08.2021, appellant was directed to deposit security and process fee within 10 days and the appeal was posted for 02.11.2021, however neither appellant nor anyone else appeared on behalf of the appellant on the said date. Similarly, security and process fee was also not deposited. On 05.01.2022, clerk of learned counsel for the appellant had appeared and had requested for extension of time for depositing of security and process fee, which was acceded and the appeal was adjourned for 09.02.2022 but the appellant has still failed to deposit security and process fee. Even none appeared on behalf of the appellant today, which shows that the appellant has lost interest in pursuing of the instant appeal. Rule 10 (2) of Khyber Pakhtunkhwa Service Tribunal Rules, 1974, is reproduced as below:-

"(2) if within 10 days of admission of appeal, the appellant does not deposit the security and the costs of service of process, the appeal may be dismissed".

The appellant has failed to deposit security and process fee despite several opportunities being given to him, therefore, in light of Rule 10 (2) of Khyber Pakhtunkhwa Service Tribunal Rules, 1974, the appeal in hand stands dismissed. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
12.05.2022


(Safdar Ali) Member (J)
Camp Court Swat

25/07/22

3/15/800
14/1-



25/07/22
25/07/22

قیمت
50 روپے

32137



ایڈوکیٹ: سلیم الدین

بار کونسل/ایسوسی ایشن نمبر: BC-15-5807

رابطہ نمبر: 03469122502

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب:

مخانب: صدی: گل سلیم	دعویٰ: Restoratin
 گل سلیم گورنمنٹ لاء PESHAWAR BAR ASSOCIATION KHYBER PAKHTOONKHWA	علت نمبر: _____
	مورخہ: _____
	جرم: _____
	تھانہ: _____

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ مقدمہ میں
آن مقام کیلئے سلیم الدین، محمد زین الدین، محمد زین الدین اور محمد زین الدین کو وکیل مقرر
کر کے قرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو
راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یا طرفہ یا اپیل کی برآمدگی اور غلطی، نیز
دائرہ کے اپیل گمانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب
مقرر شدہ کو کوئی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور و قبول ہوگا
دوران مقدمہ میں جو خرچہ ہر جگہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے
باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المقوم: 25/03/2022
PESHAWAR BAR ASSOCIATION
KHYBER PAKHTOONKHWA

المقوم کے لیے منظور ہے

Attested &
Accepted

نوٹ: اس وکالت نامہ کو نوٹ کاپی ناقابل قبول ہوگی۔

گل سلیم حلد فورمڈ سکے جارمن ضلع باجوڑ

CNIC # 21105 - 6040788 - 1
Mob # 0302 - 5957819