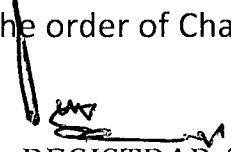


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 665/2022

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	07.11.2022	<p>The application for restoration of Appeal No.1581/2013 submitted today by Mr. Taimur Ali Khan Advocate. It is fixed for hearing before Single Bench at Peshawar on . Original file be requisitioned. Notices be issued to applicant and his counsel for the date fixed.</p> <p style="text-align: right;">By the order of Chairman</p> <p style="text-align: center;"> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Restoration Appellate No. 665/2022

Service Appeal No.1581/2013

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1864

Dated 7/11/2022

Javed Khan

V/S

SMBR & Others

.....
**APPLICATION FOR RESTORATION OF INSTANT
APPEAL WHICH WAS DISMISSED IN DEFAULT
ON 19.10.2022.**
.....

RESPECTFULLY SHEWETH:

1. That the appellant has filed the instant appeal in this Honorable Tribunal for directing the respondents to consider him for promotion as Naib Tehsildar and Tehsildar post from the date when his junior respondent No.4 was promoted with all consequential benefits.
2. That the instant appeal was fixed for arguments on 19.10.2022 and the appellant was suffering from typhoid and the counsel for the appellant was busy in the other bench of this Honorable Tribunal, therefore, neither the appellant nor his counsel was appeared on the date fixed i.e 19.10.2022 due to which the instant appeal was dismissed in default on 19.10.2022. **(Copy of medical report of the appellant and order sheet dated 19.10.2022 are attached as Annexure-A&B)**
3. That the appellant has good prima facie and should be decide on merit rather than dismissed in default.
4. That the application of the appellant is well in time and may be restored the instant appeal and decide on merit to meet the ends of justice.

It is, therefore, most humbly prayed that on acceptance of this application, the instant appeal may kindly be restored and decide on merit to the meet the ends of justice.

APPELLANT

THROUGH:



TAIMUR ALI KHAN
ADVOCATE HIGH COURT

AFFIDAVIT

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


DEPONENT




07-11-22

B A



NEW HABIB
Diagnostic Medical Laboratory
Cantt Chowk Bypass Tablighi Markaz Road, Wana
Ph: 0965 - 211851

Patient's ID : 904
Patient Name: Javid Sahib
Referred by : Dr Obaid Wazir Sahib
Test Required: TYPHIDOT

Thursday, September 22, 2022
Age ?Y/Sex:M

SEROLOGY

TYPHIDOT:

IgM.....Positive (+ve)

IgG.....Positive (+ve)
(Immunochromatographic method)

Nasim Khan
NASIM KHAN
BS MLT (Hims) Pesh

**Lab Incharge
Naseem Khan**

Razaq # 0304 9516951

M

NEW HABIB

Diagnostic Medical Laboratory

Cantt Chowk Bypass Tablighi Markaz Road, Wana
Ph: 0965 - 211851

Thursday, September 22, 2022
Age ?Y/Sex:M

Patient's ID :904
Patient Name: Javid Sahib
Referred by : Dr Obaid Wazir Sahib
Test Required: CBC /MP/ALT

TEST NAME	NORMAL VALUE	UNIT	RESULT
Hemoglobin:	M 12.5__18.0 F 11.5__16.5	g/dl	13.9
TLC:	4,000__11,000	/cmm	5,300
Platelets Count:	150,000__450,000	/cmm	209,000
DIFFERENTIAL COUNT			
NEUTROPHIL	40__70	%	66
LYMPHOCYTE	20__40	%	25
MONOCYTES	02__10	%	05
EOSINOPHILS	01__06	%	04

Mp : No Mp Seen In The Thick & thin Smear Examined

BIOCHEMISTRY


ALT/SGPT:

Result

36

U/I

Ref Range (Adults 10.03 - 49.00)


NASEEM KHAN
BS/MLT (Hims) Pesh

Lab Incharge
Naseem Khan

A. Ref No: # 0304-951695

5 B

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

Appeal No. 1581 /2013

Mr. Javed Khan, DRA,
Revenue Department, Peshawar.

1597
29-11-13

APPELLANT

VERSUS

1. The Senior Member Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. The Commissioner, Peshawar Division, Peshawar.
3. The Assistant Secretary Establishment, Revenue Department, Peshawar.
4. Mr. Qaisar Naz, Secretary, RTA, Kohat.

RESPONDENTS

.....

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 22.11.2013 WHEREBY THE APPEAL OF THE APPELLANT FOR PROMOTION AS NAIB TEHSILDAR AND THEN TO TEHSILDAR FROM THE DATE WHEN HIS JUNIOR OF THE APPELLANT WERE PROMOTED HAS BEEN REJECTED FOR NO GOOD GROUNDS.

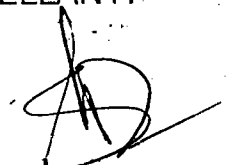
.....

PRAYER:

THAT ON ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 22.11.2013 MAY BE SET ASIDE AND THE RESPONDENTS MAY BE DIRECTED TO CONSIDER THE APPELLANT FOR PROMOTION AS NAIB TEHSILDAR AND THEN TO TEHSILDAR POST FROM THE DATE WHEN HIS JUNIOR RESPONDENT NO.4 WAS PROMOTED WITH ALL CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

29/11/13

4/12/13.



Appeal No. 1581/2013

6

Member (E)

Javed Khan vs. *is Court*

Member (J)


19th Oct., 2022

01. None present on behalf of the appellant. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

02. Called several times, till last hours of the court but nobody turned up on behalf of the appellant. The appeal is, therefore, dismissed in default. Consign.

03. Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 19th day of October, 2022.

PROBANNED
COURT
Peshawar


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

21-10-22

Page 2 page

10/-

10/-

04-11-22
04-11-22

