

28.09.2022

Learned counsel for the appellant 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 25.10.2022 before the S.B at Camp Court D.I.Khan.



(Salah-Ud-Din)  
Member (J)  
Camp Court D.I.Khan

25.10.2022

Appellant present through counsel.

Kabir Ullah Khattak, learned Additional Advocate General present. Nemo for respondents.

This case has been pending since January, 2022 and despite directions to the respondents, comments were not submitted, therefore, case is adjourned on payment of cost of Rs.5000/- to be paid to the appellant on the next date with last opportunity for submission of reply. To come up for reply/comments on 23.11.2022 before S.B at Camp Court, D.I.Khan.



(Rozina Rehman)  
Member (J)  
Camp Court, D.I.han

28<sup>th</sup> June 2022

1. Learned counsel for the appellant present and has been heard.

2. The instant appeal was dismissed in default vide order dated 23.05.2022 against which petitioner filed application for restoration of appeal on 02.06.2022 which is within, therefore, the instant appeal is restored to his original number. Appellant is also directed to deposit security and process fee within two days, thereafter notices be issued to the respondents for submission of written reply/comments. To come up for written reply/comments on 27.07.2022 before S.B at camp court D.I.Khan.

3. *Pronounced in open court in D.I.Khan and given under my hand and seal of the Tribunal on this 28<sup>th</sup> day of June, 2022.*

Rs-600/-  
Appellant Deposited  
Security & Process Fee

*Handwritten signature*  
4/7/22

*D*

*Handwritten signature*

(Kalim Arshad Khan)  
Chairman  
Camp Court D.I.Khan

27/07/2022

*Due to Summer vacation come*



*up 28/09/2022*

*Reader*

Form-A  
FORM OF ORDER SHEET

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

Restoration Application No. 320 /2022

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	02.06.2022	<p>The application for restoration of appeal No. 115/2022 submitted today by Mr. Shaukatullah Battani Qadri 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 <i>MM</i> - 2/6/2022</p>
2	3.6.22	<p>This restoration application is entrusted to Single Bench at Dera Ismail Khan to be put up there on <u>28-6-22</u>. Original file be requisitioned. Notices to the appellant be also issued for the date fixed.</p> <p style="text-align: right;"> CHAIRMAN</p>

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

Restoration Application No. 320/22 in Service Appeal No.115/2022

Mst. Sadaf Faizullah

Vs.

Government of Khyber Pakhtunkhwa

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Applicant

Through Counsel



Shaukat Ullah Bettani Qadri Advocate

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

**CAMP COURT DERA ISMAIL KHAN**

Restoration Appli no 320/2022

In Service Appeal No. 115 /2021

142

2/6/2022

**Mst Sadaf Faizullah** wife of Abdullah c/o New Mart Bakers  
Multan Road, Dera Ismail Khan, presently as PST at GGPS Kot  
Zangbar Tehsil & District Tank, Contact No. 0346-7878473

**(Appellant)**

**VERSUS**

1. Government of KPK, through Secretary Elementary and Secondary Education Department, Khyber Pakhtunkhwa Peshawar.
2. Director General Elementary and Secondary Education Department, Khyber Pakhtunkhwa Peshawar.
3. Deputy Director (Female) Elementary and Secondary Education Department, Khyber Pakhtunkhwa Peshawar.
4. District Education Officer (Female) Tank.

..... **(RESPONDENTS)**

**SERVICE APPEAL**

**APPLICATION FOR THE RESTORATION OF THE  
ABOVE TITLED SERVICE APPEAL.**

**Respectfully Sheweth,**

Petitioner humbly submits as under;

1. That the above titled service appeal was pending before this learned Tribunal. Copy annexed.
2. That the counsel for petitioner appeared in the court in the above mentioned appeal on 23/05/2022 but later on the counsel for the petitioner remained busy in his other cases resultantly this honourable tribunal dismissed the above

titled service appeal due to non-prosecution vide order dated 23/05/2022. Copy of order dated 23/05/2022 is enclosed herewith.

3. That the presumed absence of petitioner's counsel was not willful but due to misunderstanding by the clerk/reader of the Tribunal.
4. That the petitioner after getting knowledge of order dated 23/05/2022, immediately applied for the attested copies of the case and now instant application is being submitted before this Honourable Tribunal for the restoration of case.
5. That valuable rights of the petitioner are very much involved in the instant case.
6. That this honourable Tribunal has got vast and ample powers to entertain the application in hand.

**It is therefore, humbly prayed that the above titled service appeal may please be restored to meet with the ends of justice.**

May 25, 2022

**Your Humble Petitioner**

**Mst Sadaf Faizullah**

Through Counsel

**Shaukat Ullah Betani**  
Advocate

**AFFIDAVIT:**

I, **Shaukat Ullah Betani Advocate**, the petitioner, do hereby solemnly affirm and declare on Oath that contents of this application are true and correct and nothing has been deliberately concealed from this Hon'ble Court.

Date:- 25/05/2022

**DEPONENT**

ORDER  
23.05.2022

Nemo for the appellant. Security and process fee have also not been deposited by the appellant.

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  
23.05.2022

*Alished*  
*25/5/22*  
*25/5/22*  
Khyber Pakhtunkhwa  
Service Tribunal Peshawar  
*camp court D.I.Khan*



(Salah-Ud-Din)  
Member (J)  
Camp Court D.I.Khan

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

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 32

Dated 11/01/2022

Service Appeal No. 115 /2022

**Mst Sadaf Faizullah** wife of Abdullah c/o New Mart Bakers  
Multan Road, Dera Ismail Khan, presently as PST at GGPS Kot  
Zangbar Tehsil & District Tank, Contact No. 0346-7878473

(Appellant)

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..... (RESPONDENTS)

**APPEAL UNDER SECTION 4 OF THE KPK SERVICES TRIBUNAL ACT, 1974, AGAINST THE PARTIALLY IMPUGNED NOTIFICATION NO. 6973-76 DATED 02/10/2020 ISSUED BY RESPONDENT NO. 3, WHEREBY THE SERVICE OF THE APPELLANT WAS REINSTATED BUT THE INTERVENING PERIOD WAS TREATED AS LEAVE WITHOUT PAY.**

**PRAYER**

On acceptance of the instant appeal the appellant may kindly be granted all back benefits/salaries in the interest of justice.

Filed to-day  
by  
Registrar  
11/01/2022

Re-submitted to-day  
and filed.



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR,

Restoration Application No. 320/22 in Service Appeal No.115/2022

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Vs.

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Through Counsel



Shaukat Ullah Bettani Qadri Advocate

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**CAMP COURT DERA ISMAIL KHAN**

In Service Appeal No. 115 /2021

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Petitioner humbly submits as under;

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5. That valuable rights of the petitioner are very much involved in the instant case.
6. That this honourable Tribunal has got vast and ample powers to entertain the application in hand.

**It is therefore, humbly prayed that the above titled service appeal may please be restored to meet with the ends of justice.**

May 25, 2022

**Your Humble Petitioner,**

**Mst Sadaf Faizullah**

Through Counsel

**Shaukat Ullah Betani**  
Advocate

**AFFIDAVIT:**

I, **Shaukat Ullah Betani Advocate**, the petitioner, do hereby solemnly affirm and declare on Oath that contents of this application are true and correct and nothing has been deliberately concealed from this Hon'ble Court.

Date:- 25/05/2022

**DEPONENT**

Service Appeal No. 115/2022

ORDER  
23.05.2022

Nemo for the appellant. Security and process fee have also not been deposited by the appellant.

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  
23.05.2022

*Attested*  
*23/5/22*  
Member (J)  
Camp Court D.I. Khan

(Salah-Ud-Din)  
Member (J)  
Camp Court D.I. Khan

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
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Khyber Pakhtunkhwa  
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Diary No. 32  
Dated 11/01/2022

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REINSTATED BUT THE INTERVENING PERIOD WAS  
TREATED AS LEAVE WITHOUT PAY.

**PRAYER**

On acceptance of the instant appeal the appellant may kindly be granted all back benefits/salaries in the interest of justice.

Re-submitted to-day  
and filed.

Filed to-day  
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11/01/2022

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**CAMP COURT DERA ISMAIL KHAN**

In Service Appeal No. 115 /2021

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May 25, 2022

**Your Humble Petitioner,**

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Through Counsel

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Advocate

**AFFIDAVIT:**

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ANNOUNCED  
23.05.2022

*Alshahid*  
*9/23/5/22*  
*comp court D.I.Khan*

Attest  
23/05/2022  
Service Tribunal, D.I.Khan

(Salah-Ud-Din)  
Member (J)  
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On acceptance of the instant appeal the appellant may kindly be granted all back benefits/salaries in the interest of justice.

Re-submitted to -day  
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Filed to-day  
by  
Registrar  
11/01/2022

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR,

Restoration Application No. 320/22 in Service Appeal No.115/2022

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**Mst Sadaf Faizullah**

Through Counsel

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**DEPONENT**

Service Appeal No. 115/2022

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ANNOUNCED  
23.05.2022

*Admitted*  
*23/5/22*  
Khyber Pakhtunkhwa  
Service Tribunal Peshawar  
*camp court D.I.Khan*

(Salah-Ud-Din)  
Member (J)  
Camp Court D.I.Khan

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**PESHAWAR**

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 32  
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11/01/2022

"A"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**

JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

*Regd*

No. Restoration App: 320/22

TB D11K

APPEAL No..... 115 ..... of 2021.

*Mst Sadaf Faizullah*

Appellant/Petitioner

Versus

*through Soggy: (E85K) Pesh*

RESPONDENT(S)

Notice to Appellant/Petitioner

*Mst Sadaf Faizullah w/o  
Abdullah do new Mast Bakers Mittan Rd  
Presently as PST at GAPS Kot Zangbar Teh & Dis  
TANK*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal

on *28-6-22* at *8:00 AM*

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

*at emp Court  
D11K*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal  
Peshawar.