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BEORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Restoration appli. no-372/19

C.M. No. _____/2019

In

Service Appeal No.886/2019



Muhammad Saeed.....Petitioner.

V E R S U S

Govt. of Khyber Pakhtunkhwa & othersRespondents

APPLICATION FOR RESTORATION OF
THE CAPTIONED SERVICE APPEAL,
DISMISSED IN DEFAULT VIDE ORDER
DATED 23.09.2019.

Respectfully Sheweth:-

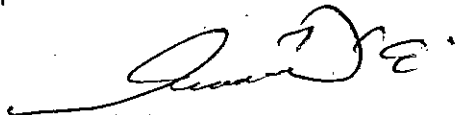
The petitioner submits as under:-

1. That the above titled service Appeal was pending before this Hon'ble Tribunal has been dismissed for non-prosecution vide order dated 23.09.2019.
2. That the bar council had announce strike on 23.09.2019 and due to that reason the counsel was unable to appear before this Hon'ble Tribunal.
3. That law requires that case should be decided on merits rather than on technicality.

4. That valuable rights of the appellant are involved in the present case and there is no legal bar while accepting this application:

It is, therefore most humbly prayed that on acceptance of this application the service appeal may kindly be restored and be decided on merit in the best interest of justice.

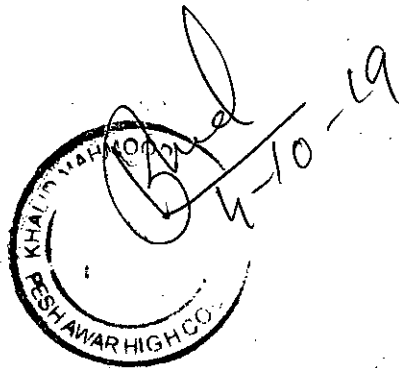
Appellant
Through


Zartaj Anwar
Advocate High Court

Dated 04.10.2019

AFFIDAVIT

It is stated on oath that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief, and nothing has been concealed from this Hon'ble Court.


KHALID KHAN
PESHAWAR HIGH COURT


DEPONENT



BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Appeal No. 886/2019

Case No. 906
Date 01-7-2019

Muhammad Saeed, Assistant, BPS 16, Directorate of Social Welfare, Special Education, and Women Empowerment Khyber Pakhtunkhwa Peshawar.

(Appellant)

VERSUS

1. Govt of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat Khyber road, Peshawar.

2. Secretary to Government of Khyber Pakhtunkhwa, Establishment Department Civil Secretariat Khyber road, Peshawar.

3. Secretary to Government of Khyber Pakhtunkhwa, Finance Department Civil Secretariat Khyber road, Peshawar.

4. Secretary to Government of Khyber Pakhtunkhwa Social Welfare, Special Education, and Women Empowerment Civil Secretariat Khyber road, Peshawar.

5. Director, Social Welfare, Special Education, and Women Empowerment Khyber Pakhtunkhwa Peshawar.

(Respondents)

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the Order dated 15.05.2018 whereas to regularize the promotion on acting charge basis of Appellant to the post of Office Assistant (BPS 16) on regular basis with immediate effect, against which his departmental Appeal dated 09.04.2019 has not been rejected on 31.05.2019.

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Re-submitted to - day
and filed.
8/2/19
Registrar

Filed - day
Registrar
1/2/19



23.09.2019

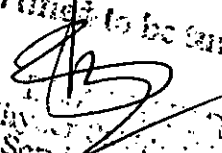
Nemo for appellant.

It is now 4:00 P.M and the case has been called several times but no one is in appearance on behalf of the appellant.

Dismissed for non-prosecution. File be consigned to record room.


CHAIRMAN

Announced
23.09.2019

Certified to be true copy

Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of 25-09-19
Number of Vols 800
Copying Fee 10-00
Urgent
Total 10-00
Name of
Date of Copy 03-10-19
Date of Delivery of Copy 03-10-19

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M. No. _____/2019

In

Service Appeal No.886/2019

Muhammad Saeed.....**Petitioner**

V E R S U S

Govt. of Khyber Pakhtunkhwa & others**Respondents**

APPLICATION FOR RESTORATION OF
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DISMISSED IN DEFAULT VIDE ORDER
DATED 23.09.2019.

Respectfully Sheweth:-

The petitioner submits as under:-

1. That the above titled service Appeal was pending before this Hon'ble Tribunal has been dismissed for non-prosecution vide order dated 23.09.2019.
2. That the bar council had announce strike on 23.09.2019 and due to that reason the counsel was unable to appear before this Hon'ble Tribunal.
3. That law requires that case should be decided on merits rather than on technicality.

4. That valuable rights of the appellant are involved in the present case and there is no legal bar while accepting this application.

It is, therefore most humbly prayed that on acceptance of this application the service appeal may kindly be restored and be decided on merit in the best interest of justice.

Through Appellant

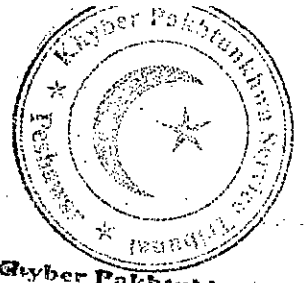
Dated 04.10.2019

Zartaj Anwar
Advocate High Court

AFFIDAVIT

It is stated on oath that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

DEPONENT



BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 906

Dated 01-7-2019

Appeal No. 886/2019

Muhammad Saeed, Assistant, BPS 16, Directorate of Social Welfare, Special Education, and Women Empowerment Khyber Pakhtunkhwa Peshawar.

(Appellant)

VERSUS

1. Govt of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat Khyber road, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa, Establishment Department Civil Secretariat Khyber road, Peshawar.
3. Secretary to Government of Khyber Pakhtunkhwa, Finance Department Civil Secretariat Khyber road, Peshawar
4. Secretary to Government of Khyber Pakhtunkhwa Social Welfare, Special Education, and Women Empowerment Civil Secretariat Khyber road, Peshawar.
5. Director, Social Welfare, Special Education, and Women Empowerment Khyber Pakhtunkhwa Peshawar.

(Respondents)

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the Order dated 15.05.2018 whereas to regularize the promotion on acting charge basis of Appellant to the post of Office Assistant (BPS 16) on regular basis with immediate effect, against which his departmental Appeal dated 09.04.2019 has not been regretted on 31.05.2019.

Filed to-day

Registrar

1/7/19

Re-submitted to-day and filed.

Registrar

8/7/19

ATTESTED

MEMBER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

4



23.09.2019

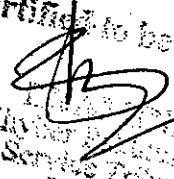
Nemo for appellat.

It is now 4:00 P.M and the case has been called several times but no one is in appearance on behalf of the appellat.

Dismissed for non-prosecution. File be consigned to record room.


CHAIRMAN

Announced
23.09.2019

Certified to be true copy

Khyber Pakhtunkhwa
Service Tribunal
Peshawar

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Date of Completion of Copy 03-10-19
Date of Delivery of Copy 03-10-19