

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR

M. P. No. _____ / 2022

IN

S.A No. 7797 /2021

Rafi Ullah

versus

Deputy Commandant & Others

**APPLICATION FOR RESTORATION OF SERVICE
APPEAL NO. 7797/2021 DISMISSED BY THIS
HONORABLE TRIBUNAL VIDE ORDER DATED 13-12-
2022 FOR NON PROSECUTION:**

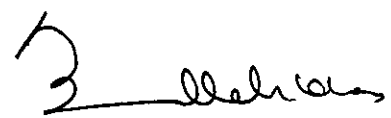
Respectfully Sheweth,

1. That the subject Appeal was pending disposal before this hon'ble Tribunal which was fixed for hearing on 13-12-2022.
2. That on the said dated i.e. 13-12-2022, the same was dismissed for want of prosecution due to non appearance of the counsel. (Copy Attached)
3. That on the said date counsel for appellant was busy before High Court and then in the break time at 11.30 am when appeared before the hon'ble Tribunal the case was dismissed for non prosecution and on appearance he was directed to submit application for restoration of the appeal.

It is, therefore, most humbly prayed that the application be accepted as prayed for after restoring the same and to decide it on merit.

Applicant

Through


Saadullah Khan Marwat
Advocate

Dated 22-12-2022



BEFORE KPK SERVICE TRIBUNAL PESHAWAR

S.A No. 7797/2021

Rafiullah Khan S/o Badshah Khan

R/o Lewan Daradariz, Bannu.

Ex-C-No-3880/3032, P. No. 75

FRP Hqrs, Peshawar Appellant

VERSUS

1. Deputy Commandant,

FRP, KP, Peshawar.

2. Commandant FRP,

KP, Peshawar. Respondents

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**APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, 1974
AGAINST ORDER NO. 1073-76 DATED 30-06-2009 OF
R. NO. 01 WHEREBY APPELLANT WAS REMOVED
FROM SERVICE FROM THE DATE OF ABSENCE 01-12-
2008 RETROSPECTIVELY OR ORDER NO. 7614-16/15
DATED 22-09-2021 OF R. NO. 02 WHEREBY
DEPARTMENTAL APPEAL OF APPELLANT WAS
REJECTED:**

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Respectfully Sheweth:

1. That on 15-07-2007, appellant was enlisted as constable and served the department to the best of the ability and to the entire satisfaction of the superiors. In recognition of his best performances, he was awarded with commendation certificates. (Copy as Annex "A")
2. That without any date and number, appellant was served with statement of allegations and not with Charge Sheet to the effect:

Certified to be true copy

**EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar**

Appeal No. 7797/2021
Rafiqullah Khan vs Govt



13.12.2022

Nemo for the appellant.

02. Last opportunity has been granted to the learned counsel for the appellant to address his arguments, as is evident from order sheet dated 14.09.2022. Subsequently, two dates were changed on the request of learned counsel for the appellant on the ground that he is required time to prepare the brief. As a result thereof, the instant service appeal is dismissed for non prosecution. File be consign^{ed} to record room.

03. Pronounced in open court at Peshawar and given under my hand and seal of the Tribunal this 13th day of December, 2022.

(Mian Muhammad)
Member (E)

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Khyber Pakhtunkhwa
Service Tribunal
Peshawar