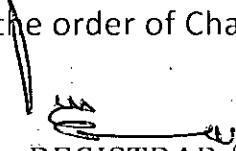


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 753/2022

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	23.12.2022	<p>The application for restoration of Appeal No. 1681/2020 submitted today by Mr. Asghar Ali Advocate. It is fixed for hearing before touring Division Bench at Swat on . Original file be requisitioned. Notices be issued to applicant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR

Restoration Application No. 753/2022

Khyber Pakhtunkhwa
Service Tribunal

Service Appeal No. 1681 / 2020

Diary No. 2479

Dated 23-12-2022

Dr. Ijaz Ahmad S/o Hazrat Hilal, Deputy District Health Officer
Swat.

... Appellant

- VERSUS -

1. Government of Khyber Pakhtunkhwa through Secretary Health at Peshawar.
2. Director General Health, Khyber Pakhtunkhwa at Peshawar.
3. District Health Officer, Swat at Saidu Sharif, District Swat.
4. Secretary Finance, Government of Khyber Pakhtunkhwa at Peshawar.

... Respondents

Application for restoration of the titled service appeal No. 1681 of 2020.

Respectfully Sheweth:

1. That the titled service appeal was pending adjudication before this Hon'ble Tribunal, which was dismissed in default vide order dated 05-10-2022 (Copy of order is attached).
2. That on the date fixed i.e. 05-10-2022, counsel of the appellant appeared before this Hon'ble Tribunal, argued the case and thereafter left the court room with the direction of this Hon'ble Tribunal, to wait for announcement of the order.
3. That since counsel of the appellant remained busy in other cases at District Courts Saidu Sharif, Swat, and later on

when inquired from the reader of this Hon'ble Tribunal, counsel of the appellant was simply stated that the appeal was dismissed.

- 4. That after dismissal of the case on the aforementioned date, when applied for the copy of judgment at Peshawar, it transpired that the appeal was dismissed in default / for non-prosecution.
- 5. That counsel of the appellant was appeared and the case was argued, therefore, dismissal of appeal in default is not legal.
- 6. That valuable rights of appellant are involved with the instant case.

It is therefore, very humbly prayed that on acceptance of the instant application, the titled appeal No. 1681 of 2020, may kindly be restored.

Appellant
Through Counsel

*Dr. Imreel
Dr. Ijaz Ahmad*


Asghar Ali
Advocate Supreme Court

Certificate:

As per information of client, it is certified that no such like application is either filed or pending before this Hon'ble Tribunal.


Asghar Ali
Advocate Supreme Court

0345-9452817

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

Service Appeal No. 1681 / 2020

Dr. Ijaz Ahmad.

... Appellant

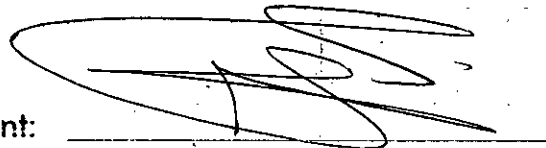
- VERSUS -

Government of Khyber Pakhtunkhwa and others.

... Respondents

Affidavit:

I, Asghar Ali Advocate Supreme Court (Counsel for appellant), do hereby solemnly affirm and declare that on the date fixed i.e. 05-10-2022, in the titled service appeal, I had appeared on behalf of appellant and had argued the case, thereafter I left the court room as per direction and waited for announcement of judgment, however when later on inquired, I got the knowledge of dismissal of appeal in default / non-prosecution. Whatever stated above are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Tribunal.



Deponent:

Asghar Ali
Advocate Supreme Court

ATTESTED



0345-9452817

Dated: / 12 / 2022

(4)



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

Service Appeal No. 1681 / 2020

Khyber Pakhtunkhwa
Service Tribunal
Diary No. 1854
Dated 12/3/2020

Dr. Ijaz Ahmad S/o Hazrat Hilal, Deputy District Health Officer
Swat.

... Appellant

- VERSUS -

1. Government of Khyber Pakhtunkhwa through Secretary Health at Peshawar.
2. Director General Health, Khyber Pakhtunkhwa at Peshawar.
3. District Health Officer, Swat at Saidu Sharif, District Swat.
4. Secretary Finance, Government of Khyber Pakhtunkhwa at Peshawar.

... Respondents

Filed to-day
[Signature]
Registrar
12/03/2020

Appeal Under Section 4 of the Service Tribunal Act, 1974, against refusal of respondents to count seniority of appellant from initial appointment i.e. 18-12-1995 w.e.f after counting the contract period.

Prayer:

On acceptance of this appeal respondents may please be directed to count the seniority of appellant from 18-12-1995 i.e. the date of initial appointment on contract basis, with all back / ancillary benefits.

Any other relief not specifically prayed for, but this August Court deems proper may also be granted.

Certified to be true copy

[Signature]
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

5



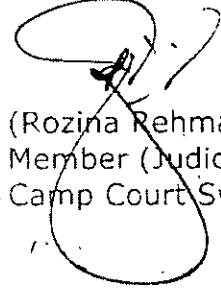
Service Appeal No. 1681/2020


ORDER
05.10.2022


Nemo for the appellant. Mr. Nasir Ali Khan, Litigation Officer alongwith Mr. Muhammad Jan, District Attorney for the respondents present.

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
05.10.2022


(Rozina Rehman)
Member (Judicial)
Camp Court Swat


(Salah-Ud-Din)
Member (Judicial)
Camp Court Swat

Certified to be true copy

Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 24-10-22
Number of ~~Words~~ page 2-page
Copying Fee 10/-
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