


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 41/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	18.01.2023	<p>The application for restoration of Appeal No. 701/2018 submitted today by Mr. Jehanzeb Khan Afridi Advocate. It is fixed for hearing before touring Division Bench at Swat on . Original file be requisitioned. Parcha Peshi is given to appellant/counsel.</p> <p style="text-align: right;">By the order of Chairman  REGISTRAR</p>

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE,

TRIBUNAL, PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Restoration Application No 41/2023

Diary No. 3044

Dated 18-1-2023

**Rehmat Gul S/o Said Gul R/o Banjaw Banda Raqba Dheri
District Malakand.**

VERSUS

Secretary C&W Khyber Pakhtunkhwa Peshawar & others

**APPLICATION FOR RESTORATION OF
THE APPEAL TITLED ABOVE WHICH
WAS ADJOURNED SINE-DIE BY THIS
HON'BLE COURT ON DATED 11.05.2022**

Respectfully sheweth:

1. That the above mentioned service Appeal is sine die adjourned by this Hon'ble Tribunal.
2. That the service Appeal was adjourned Sine-die by this Hon'ble Tribunal with directions to approach the concerned authority for the redressal of the Applicant's grievances due to a fresh cause of action against the respondents. **(Copy of the order is attached herewith)**
3. That by complying with the court's order the Applicant made a departmental Appeal to the concerned Department

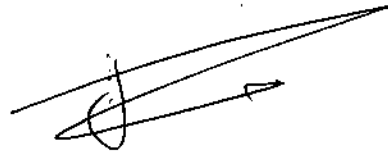
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which has not been decided in accordance with the law at the appropriate time. **(Copies of the Departmental Appeal and courier receipts are attached)**

It is, therefore, requested that by acceptance of this Application, the Appeal may kindly be restored which was adjourned sine-die by this Hon'ble Tribunal.

A P P E L L A N T

Through
Dated: 10.11.2022



JEHANZEB KHAN AFRIDI
Advocate, High Court
Peshawar
Cell # 0300-5940011
Email: jk.khan09@yahoo.com
BC # 11-1856

(3)

(3)



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

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 735

Dated 18-5-2018

Service Appeal No 701 /2018

Rehmat Gul S/O Said Gul R/O Banjaw Banda Raqba Dheri District Malakand.

Verses

1. Secretary C&W Khyber Pakhtunkhwa, Peshawar.
2. chief Engineer C&W Khyber Pakhtunkhwa, Peshawar.
3. SDO C&W Malakand at Batkhela District Malakand.
4. Supraindent Engineer C&W Saidu Sharif District Swat.
5. XEN, C&W Malakand at Batkhela District Malakand
6. Deputy Commissioner Malakand at Batkhela District Malakand

Appeal Under section # 4 of the Khyber Pakhtunkhwa Services Tribunal Act 1974 against the illegal/unlawful Action/Act of the Respondents. Where by the Respondents have withheld the salary of the Appellant after joining his service as DRR cleaner in the Respondents Department.

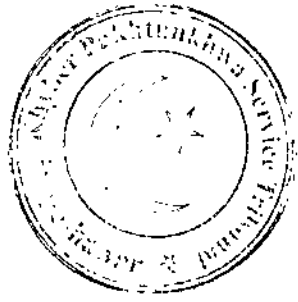
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EXAMINED
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

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11.05.2022

Learned counsel for the appellant present. Mr. Muhammad Rasheed, Deputy District Attorney for the respondents present.

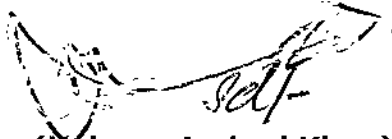


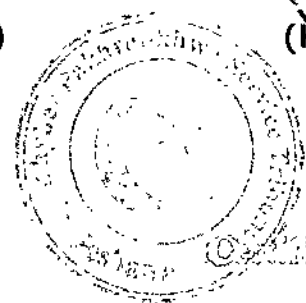
Learned counsel for the appellant at the very outset has not pressed the application for amendment of appeal saying that being a fresh cause of action, he will approach the concerned authority for redressal of his grievances. Till then, he requested that this appeal may be adjourned sine-die with further submission that it may be ^{got} restored and decided in accordance with law at appropriate time.


Application stands dismissed as withdrawn. The appeal is accordingly adjourned sine-die. Consign.

Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 11th day of May, 2022.


(Farzeha Paul)
Member (E)


(Kaleem Arshad Khan)
Chairman




Kaleem Arshad Khan
Kyber Pakhtunkhwa
Service Tribunal
Peshawar

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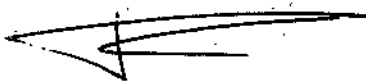
The Chief Engineer

C & W. North KPK.

**DEPARTMENTAL APPEAL AGAINST THE REMOVAL ORDER NO. 1396/4-E,
DATED: 26-12-2013 FROM SERVICES AS DRR CLEANER.**

Respected Sir,

1. That I filed a Service Appeal No. 701-P/2018, before the services Tribunal Peshawar regarding the release of the withheld salaries against the department.
2. That astonishingly in the Reply/Comments the respondents have annexed an illegal order of Removal/Termination from services against me and such order has never been communicated to me and through the instant replay got knowledge of the same. (Removal/Termination Order is attached)
3. That the fake order of termination on dated 26/12/2013 against me in which I was ceased to be a Govt. servant while on another side I was transferred to the office of the Deputy Commissioner Malakand vide office order No.240/3-E, Dated 08/12/2014.
4. That after appointing as a DRR cleaner I was performing my duty with great honesty and was later on promoted to BPS-04 by the Finance department vide office order No. KC/FD/SO FR/7-20/2015. Dated 17/08-2015. (Copy of the post upgraded letter is attached).
5. That no charge sheet and statement of allegations or final show cause notice was issued against me.
6. That no fair and impartial inquiry was constituted against me in order to substantiate the guilt or otherwise regarding the allegations leveled against me.



Attest

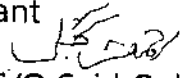
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Prayer:

It is therefore requested that by acceptance of this Departmental Appeal an appropriate order may please be issued declaring the office order No.1396/4-E, Dated: 26/12/2014 whereby a major penalty of Removal/Termination from services was issued is illegal, unlawful without lawful authority, and of no legal effect and the same is liable to strike down and kindly Re instant me in services with all arrears and back benefits or any other remedy deemed proper may also be allowed in my favor.

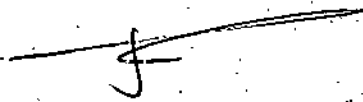
Dated: 01/06/2022

Appellant


Rehmat Gul S/O Said Gul

Mobile: 03423589256

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Hassam

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