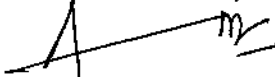


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 33/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	17.01.2023	<p>The application for restoration of Appeal No:2671/2020 submitted today by Mr. Waqar Ahmad Maidani Advocate. It is fixed for hearing before Division Bench at Peshawar on . Original file be requisitioned. Parcha Peshi is given to appellant/counsel.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

Before the Service Tribunal K.P, Peshawar

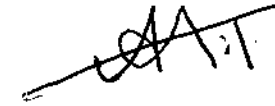
Restoration Appli. no. 33/2023
Muhammad Farooq Khan

VS

P.P.O K.P E-T-C

INDEX

S.NO	DESCRIPTION OF DOCUMENTS	ANNEXS	PAGES
1	Restoration application		1-2
2	Copy of Order Dated 05/01/2023 of Chairman Service Tribunal	A	3-4
3	Copy of order dated 05/01/2023 of Supreme Court	B	5
4	Cause List of Supreme Court proposed	C	6-8



Appellant

Through



Wiqar Ahmad Miadani

Advocate high court

Email drvick.khan@gmail.com

Cell No: 0340-2301181

①

Before the Service Tribunal K.P, Peshawar

Restoration Appli. no. 33/2023

Muhammad Farooq Khan

VS

P.P.O K.P 9 E.T.C

**APPLICATION FOR RESTORATION OF
THE ABOVE TITLE CASE WHICH WAS
DISMISSED IN DEFAULT BY THIS
HONOURABLE COURT VIDE ORDER
DATE 05/1/2023**

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 3031

Dated 17-1-2023

Respectfully Sheweth,

Appellant humbly submit as under;

1. That the captioned title Appeal was pending before this Honourable court, which was dismissed in default by this Honourable court vide order dated 05/01/2023.

Copy of the order dated 05.01.2023 at Annexure-A

2. That the applicant seek the restoration of above title case on the following grounds.

GROUND:

- A. That at the very outset it is humbly submitted that the above title case was fixed before this honourable Court on dated 05-01-2023 but on the same day the appellant personal case was fixed in August Supreme Court of Pakistan as titled Muhammad Farooq Khan VS The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others (Civil Petition No 6367/2021) due to which the appellant was not able to attend this case before this honorable court.

Copy of the order sheet & Cause List of August Supreme Court dated 05.01.2023 are Annexure-B & C

- B. That the absence on the said date was not willful, but was due to the fact narrated above.

- C. That the Appellant or his counsel never absented herself willfully but it was due to the above reason, the appellant throughout was pursuing the case diligently and vigilantly and has valuable rights involved in the instant suit, hence the case deserves to be decided on merits.
- D. That the superior courts have always favoured adjudication of disputes on merits hence the appellant may please be allowed to contest the suit on merit.
- E. That the right of fair trial and decision of cases on the basis merit is the fundamental right of every citizen duly protected by the constitution of Pakistan.
- F. That further assistance shall be made at the time of arguments.

PRAYER:

It is therefore prayed that on acceptance of this appeal the order dated 20.07.2017 may please be set-aside and the noted suit may please be restored and be decided on merit.


Appellant

Through



Wiqar Ahmaad Maidani
Advocate High Court, Peshawar


Affidavit:

Declared on oath that the contents of this Application is true and correct to the best of my knowledge and belief and nothing has been concealed from this honourable court.



DEPONENT

11101-1483421-1

Mohammad Farooq Khan


[Handwritten mark]

DATED 28.02.2020.

DEPARTMENTAL APPEAL/REPRESENTATION (BPS-17) AND AGAINST THE NON DECISION OF PROMOTED TO DEPUTY SUPERINTENDENT LEGAL LIST, THE PRIVATE RESPONDENTS HAVE BEEN HONORABLE TRIBUNAL AGAINST THE SENIORITY NO. 702/2017 IS PENDING BEFORE THIS WHEREIN DESPITE OF FACT THAT AN APPEAL NO.CPO/E-I/PROMOTION/321 DATED 07.02.2020, AGAINST THE IMPUGNED NOTIFICATION PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974, APPEAL UNDER SECTION 4, OF THE KHYBER

ATTESTED
[Signature]
[Stamp]

28/02/2020
[Stamp]

.....(Respondents)

- 1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
- 2. The Additional Inspector General (Hqrs) Khyber Pakhtunkhwa Peshawar.
- 3. Deputy Inspector General of Police (Hqrs), Khyber Pakhtunkhwa, Peshawar.
- 4. Assistant Inspector General of Police (Estb); Khyber Pakhtunkhwa, Peshawar.
- 5. Mr. Rashid Ahmad, Inspector Legal DPO Office, Abbotabad.
- 6. Mr. Wisal Ahmad, Inspector Legal DIG Office, Mardan.
- 7. Mr. Malik Habib Khan, Inspector Legal CCPO Office, Peshawar.

Versus

.....(Appellant)

Muhammad Farooq Khan Inspector Legal Bannu.

5665
26/6/2020
[Stamp]

Appeal No. 6271 /2020

TRIBUNAL, PESHAWAR

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE



(3)

(4)

Appeal No. 6271/2020
Farooq Khan vs Govt

17.11.2022


Clerk of counsel for the appellant present.


Muhammad Riaz Khan Paindakhel learned Assistant Advocate

General for respondents present.

Lawyers are on general strike, therefore, case is adjourned to 5
05.01.2023 for arguments before D.B.

SCANNED
KF ST
Peshawar


(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)


5th Jan, 2023

1. Nobody is present on behalf of the appellant. Mr.
Muhammad Adeel Butt, Addl: AG for respondents present.

2. Called several times till last hours of the court but
nobody turned up on behalf of the appellant. In view of the
above, the instant appeal is dismissed in default. Consign.

3. Pronounced in open court in Peshawar and given
under our hands and seal of the Tribunal on this 5th day of
January, 2023.


(Mian Muhammad)
Member(E)


(Kalim Arshad Khan)
Chairman

Date of Presentation of Application 11-01-2023
 Number of Words Page 2 P
 Copying Fee 10/-
 Urgent 5/-
 Total 15/-
 Name of Copyist _____
 Date of Completion of Copy 11-01-2023
 Date of Delivery of Copy 11-01-2023

Certified true copy
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

5

PRESENT

Mr. Justice Jamal Khan Mandokhail
Mr. Justice Syed Hasan Azhar Rizvi

Civil Petition No. 6367 of 2021

Muhammad Farooq Khan

Petitioner(s)

Versus

**The Provincial Police Officer, Khyber Pakhtunkhwa,
Peshawar and others**

Respondent(s)

For the Petitioner(s) : Mr. Muhammad Shoaib Shaheen, ASC
Mr. Hamid Ullah Shah, ASC a/lw petitioner in person

For Respondents No. 1-4 : Main Shafaqat Jan, Addl. AG KPK
Tariq Umer, DSP (Legal)

For Respondents No. 6 & 7 : Syed Rifaqat Hussain Shah, ASC/AOR

Date of Hearing : 05.01.2023

ORDER

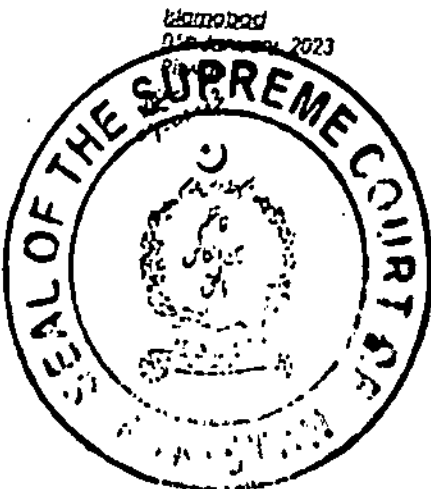
The learned counsel for the respondents No. 6 & 7 seeks time to prepare the brief. The request is allowed. Adjourned. Issue notice to the un-served respondents.

Sd/-J

Sd/-J

Certified to be True Copy

Senior Court Associate
Supreme Court of Pakistan
Islamabad



547/2023
GR No: _____ Civil/Criminal
Date of Presentation: 10-1-2023
No of Words: 300
No of Pages: 3
Regulation For Fee: Five
Copy Fee In: 1.00
Court Fee Stamp: 6.00
Date of Completion of Copy: 11-1-23
Date of Delivery of Copy: 11-1-23
Compared by/Prepared by: _____
Received by: _____

**MR. JUSTICE SARDAR TARIQ MASOOD
MR. JUSTICE JAMAL KHAN MANDOKHAIL
MR. JUSTICE SYED HASAN AZHAR RIZVI**

Raja Ali Hassan v. The State and another

**Mr. Imtiaz A. Shah
(Enrl#231)**

**Mr. Muhammad A
(Enrl#3389)**

**Additional Prosecu
Punjab**

**The State through Regional Director ANF,
Peshawar v. Muhammad Sharif**

**Mr. Muhammad T
(Enrl#59)**

Prosecutor Genera

**The State through Director ANF, Peshawar
v. Zain ul Abideen**

**Special Prosecutor
Mr. Muhammad T**

7







17	C.P.5571/2021 (Guardian and Ward / Custody of Minor) (D.B.) (C.O.) (S.J.)	Mahera Aisur v. Mohammad Omar and others	Mr. Ahmed Nawaz Chaudhry, AOR (Ear#214) R - Notice Syed Rifaqat Hussain Shah, AOR (Rwp) (Ear#1239) Kh. Azhar Rashid, ASC (Ear#1077)(1hd)
and(2)	C.M.A.1020/2021 IN C.P.5571/2021 (Stay)	Mahera Aisur v. Mohammad Omar and others	Mr. Ahmed Nawaz Chaudhry, AOR (Ear#214) R - Notice Syed Rifaqat Hussain Shah, AOR (Rwp) (Ear#1239)
18	C.P.5717/2021 (Family / Return of Dowry Articles) (S.J.)	Shahid Inayat v. Additional District Judge, P- in Peran Ohara and others	Mr. Muhammad Qasir Chughtal, AOR (Ear#191) Rana Waqas Latief Khan, ASC (Lhr) (Ear#5191)
19	C.P.5792/2021 (Family / Maintenance Allowance) (S.J.)	Rasool Baksh and another v. Additional District Judge, Jatal District Muzaffargarh and others	Syed Rifaqat Hussain Shah, AOR (Rwp) (Ear#1239) Mr. Ijaz Ahmad Toor, ASC (Ear#4152)
20	C.P.5810/2021 (Family / Maintenance Allowance) (S.J.)	Adel Ahmed Faraz v. Mishah Rasheed and others	Mr. Aab Muhammad Shahzad, AOR(Rwp) (Ear#267) Mr. Muhammad Sarwar Ch., ASC (Ear#4015)

DEMO - III
Durian, 05-Jun-2023

21	C.P.2367/2021 (Services / Seniority) (S.J.) (C.O.)	Muhammad Farooq Khan v. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others	Mr. Ahmed Nawaz Chaudhry, AOR (Ear#214) Mr. Hamid Ulah Shah, ASC (Ear#5472) Mr. Muhammad Shoaib Shahern, (1hd) ASC (Ear#1908) R - Notice
22	C.P.4427/2021 (Family / Maintenance Allowance) (S.J.)	Muhammad Yousof v. Additional District Judge, Multan and others	Syed Rifaqat Hussain Shah, AOR (Rwp) (Ear#1239) Mr. Aftab Alam Yasin, ASC (Ear#4610)
23	C.P.2117/2022 (Labour Cases) (Against re-instatement into Service) (D.B.) (C.O.)	Habib Bank Limited, Karachi v. Full Bench National Industrial Relations Commission and another	Mr. Muhammad Sharif Janjua, AOR(Rwp) (Ear#1254) Mr. Faizal Mahmood Ghani, ASC (Ncb) (Ear#4522) Deputy Attorney General for Pakistan Syed Rifaqat Hussain Shah, AOR (Rwp) (Ear#1239)
24	C.M.A.1602/2021 IN Crl.A.49/2020 (Comptroller) [S.102(b), PPC] (D.B.)	Abdul Manzoor and another v. The State	Sh. Mahmood Ahmad, AOR (Ear#1230) M. Salah-ud-Din Nisrang, ASC (Qta) (Ear#1994) Prosecutor General, Balochistan
and(2)	Crl.A.49/2020 (Lib Imprisonment / Sessions) [S.102(b), PPC] (D.B.)	Abdul Manzoor and Shahr Ahmad v. The State	Sh. Mahmood Ahmad, AOR (Ear#1230) M. Salah-ud-Din Nisrang, ASC (Qta) (Ear#1994) Additional Prosecutor General, Balochistan
25	Crl.B.P.75/2022 IN Crl.P.293-L/2022 (Bail Before Arrest) [S.420/468/471 PPC] (D.B.) [A] Sardar Tariq Mahmood, J+2	Amerozzeb Khan v. The State and another	Mr. Fazlur A. Shamhat, AOR (Lhr) (Ear#1231) Mr. Zahoor Zulfqar, ASC (Lhr) (Ear#1348) Additional Prosecutor General, Punjab
26	Crl.A.30/2020 (Death Sentence / Anti-Terrorism Act) [-] Sayyed Marzban Ali Akbar Naqvi, J (D.B.)	Tasaddiq Hussain @ Ijaz @ JaJJ and another v. The State.	Notice to Complainant Mr. Anis Muhammad Shahzad, ASC(Rwp) (Ear#1725) Additional Prosecutor General, Punjab
and(2)	Crl.A.39/2020 (Death Sentence / Anti-Terrorism Act) [S. 102(b) PPC] [-] Sayyed Marzban Ali Akbar Naqvi, J (D.B.)	Tasaddiq Hussain @ Ijaz @ JaJJ and another v. The State	Notice to Complainant Mr. Anis Muhammad Shahzad, ASC(Rwp) (Ear#1725) Additional Prosecutor General, Punjab
and(3)	J.P.30/2010 (Death Sentence / ...)	Tasaddiq Hussain @ Ijaz @ JaJJ v. The State	Mr. Muhammad Siddique Khan

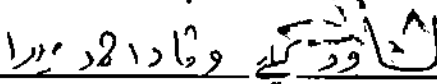
<p>CrI.A.566/2022 (Contempt of Court / Non-compliance of Court Order)</p>	<p>The Province of Sindh through its Secretary Excise & Taxation Department, Karachi and another v. Sultan Ali</p>	<p>Mr. Muhammad Kasim Mirjat, AOR(Kch) (EnrI#246) Advocate General, Sindh R - Notice</p>
<p>(D.B.) (C.O.)</p>		
<p>nd(2) CrI.M.A 1976/2022 IN CrI.A.566/2022 (Stay) (D.B.)</p>	<p>The Province of Sindh through its Secretary Excise & Taxation Department, Karachi and another v. Sultan Ali</p>	<p>Mr. Muhammad Kasim Mirjat, AOR(Kch) (EnrI#246) Advocate General, Sindh</p>
<p>C.P.1815/2019 (Labour Cases) (Against Re-Instatement) (S.J.) (C.O.)</p>	<p>Faisalabad Electric Supply Company Ltd (FESCO) thr. Chief Executive FESCO & others v. Muhammad Maqsood Raza</p>	<p>Mr. Tariq Aziz, AOR (EnrI#240) (Rwp) Mir Afzal Malik, ASC (EnrI#3585) (Ibd) R - Notice</p>
<p>[2] C.P.6367/2021 (Service / Seniority) (S.J.) (C.O.)</p>	<p>Muhammad Farooq Khan v. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others</p>	<p>Mr. Ahmed Nawaz Chaudhry, AOR (EnrI#243) Mr. Hamid Ullah Shah, ASC (EnrI#5472) Mr. Muhammad Shoab Shaheen, (Ibd) ASC (EnrI#2908) R - Notice</p>
<p>[3] C.P.835/2020 (Suit for specific performance) (S.J.)</p>	<p>M/s Kuwait National Real Estate Company (Pvt) Ltd, Lahore & others v. M/s Educational Excellence Ltd & another</p>	<p>Mr. Tariq Aziz, AOR (EnrI#240) (Rwp) Mr. Zahid F. Ebrahim, ASC (Kch) (EnrI#2965) Mian Liaquat Ali, AOR (EnrI#269) (Lhr) Mr. Ali Masood Hayat, ASC (Lhr) (EnrI#4218)</p>
<p>[4] C.P.836-K/2020 (Tax/Regulatory Duty) (Challenging the vires of Sub-Section (2) of Section (221-A) of the Custom Act 1969)</p>	<p>Federation of Pakistan through Revenue Division & others v. Dewan Motors (Pvt) Ltd.</p>	<p>Mr. K. A. Wahab, AOR (EnrI#153) (Kch) Mirza Nasar Ahmad, ASC (Lhr) (EnrI#5163) Notice to Respondent</p>
<p>"Before (3) HJJ" (D.B.) (C.O.)</p>		
<p>nd(2) C.P.837-K/2020 (Tax/Regulatory Duty) (Challenging the vires of Sub-Section (2) of Section (221-A) of the Custom Act 1969) (D.B.)</p>	<p>Federation of Pakistan & others v. M/s. Tariq Chahdar</p>	<p>Mr. K. A. Wahab, AOR (EnrI#153) (Kch) Mirza Nasar Ahmad, ASC (Lhr) (EnrI#5163) Notice to Respondent</p>
<p>nd(3) C.P.838-K/2020 (Tax/Regulatory Duty) (Challenging the vires of Sub-Section (2) of Section (221-A) of the Custom Act 1969) (D.B.)</p>	<p>Federation of Pakistan & others v. Al-Razzak Fibres Pvt.Ltd & others</p>	<p>Mr. K. A. Wahab, AOR (EnrI#153) (Kch) Mirza Nasar Ahmad, ASC (Lhr) (EnrI#5163) Notice to Respondent No 1 Notice to Respondent No 2 Notice to Respondent No 3 Mr. Syed Mahmood Abbas, AOR (Kch) (EnrI#277) Mr. Haider Mirza, ASC (Kch)</p>

تفصیلاً 50 روپے	57140			
ایڈویکٹ:		پشاور بار ایسوسی ایشن، خیبر پختونخواہ		
بار کونسل/ایسوسی ایشن نمبر:	BC-18-1118			
رابطہ نمبر:	0340-2301181			

بعدالت جناب: جسٹس سید سہیل لیاق اور K.P

منجانب: ساکن 	دعویٰ: RESTORATION APPLICATION
 محمد عارف خان بنام جی ایچ اے - او - P-K	علت نمبر:
	موردہ:
	جرم:
	تھانہ:

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دی کارروائی متعلقہ /  آن مقام کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال و دعویٰ اور درخواست از ہر قسم کی تصدیق زیریں برد سخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی آؤڑ منسوخی، نیز دائر کر کے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پرداختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

محمد عارف خان

16/11/2023
PESHAWAR BAR ASSOCIATION
KHYBER PAKHTUNKHWA
www.pba.org.pk

نوٹ: اس وکالت نامہ کی فراہمی قابل قبول ہوگی۔