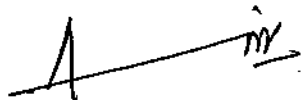


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 44/2023


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	20.01.2023	<p>The application for restoration of Appeal No. 144/2019 submitted today by Roeeda Khan Advocate. It is fixed for hearing before Single 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>

The restoration application of Mr. Momin Khan Ex-ASI Khyber Pakhtunkhwa Elite Force received today by post i.e on 04.01.2023 is incomplete on the following scores which is returned to the counsel for the petitioners for completion and resubmission within 15 days.

- 1- Address of applicant is incomplete.
- 2- Four more copies/sets of the application along with annexures i.e. complete in all respect may also be submitted with the application in file cover.


No. 69 /S.T,

Dt. 5/1 /2023


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Roeeda Khan Adv. Pesh.

objection has
been removed


20-1-2023

BEFORE THE SERVICE TRIBUNAL PESHAWAR

Restoration APPLI. NO. 44/2023

Momin Khan Ex-ASI Khyber Pakhtunkhwa Elite Force.

..... Appellant

VERSUS

11. The Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
12. District Police Officer Nowshera.
13. Regional Police Officer Mardan.
14. The Additional Inspector General of Police/Commandant Elite Force Khyber Pakhtunkhwa Peshawar.
15. The Additional Inspector General of Police, CTD Khyber Pakhtunkhwa Peshawar.

..... Respondents

INDEX

S.No.	Description of documents	Annexure	Pages
1.	Copy of petition		1 - 3
2.	Copy of Judgment	A	4 - 5
3.	Wakalat Nama		

Dated 04/01/2023

Momin

Through

Petitioner

N
Roeda Khan

&

Afshan
Afshan Manzoor

Advocates High Court Peshawar

BEFORE THE SERVICE TRIBUNAL PESHAWAR

Restoration APPL. NO. 44/2023

Momin Khan Ex-ASI Khyber Pakhtunkhwa Elite Force.

Khyber Pakhtunkhwa
Service Tribunal
29/19
4/11/23
Appellant

VERSUS

1. The Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
2. District Police Officer Nowshera.
3. Regional Police Officer Mardan.
4. The Additional Inspector General of Police/Commandant Elite Force Khyber Pakhtunkhwa Peshawar.
5. The Additional Inspector General of Police, CTD Khyber Pakhtunkhwa Peshawar.

..... Respondents

Application for restoration of the above mention Service Appeal 144/2019 which has been dismissed and default on 21/12/2022.

Respected Sir.

1. That the above mentioned Service Appeal was pending before this Hon'able tribunal which has been dismissed and default decided on 21/12/2022.
(Copy of order dated 21/12/2022 is attached as Annexure-A).
2. That the council of the Petitioner/appellant was busy in Khyber Court proceedings while the Petitioner/Appellant was unable to attend the court due to death of his close relative on 21/12/2022.

3. That non-appearance of the council of the Petitioner as well as the Petitioner was not intentionally but due to the reason mention in Para-2.
4. That the instant application is well within time.

It is therefore, most humbly submitted that on acceptance of the instant restoration application the Service Appeal of the appellant may kindly be restore.

Dated 04/01/2023

Petitioner
Through
Roeda Khan
&
Afshan Manzoor
Advocates High Court Peshawar

BEFORE THE SERVICE TRIBUNAL PESHAWAR

Momin Khan Ex-ASI Khyber Pakhtunkhwa Elite Force.

..... Appellant

VERSUS

6. The Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
7. District Police Officer Nowshera.
8. Regional Police Officer Mardan.
9. The Additional Inspector General of Police/Commandant Elite Force Khyber Pakhtunkhwa Peshawar.
10. The Additional Inspector General of Police, CTD Khyber Pakhtunkhwa Peshawar.

..... Respondents

AFFIDAVIT

I, Momin Khan Ex-ASI Khyber Pakhtunkhwa Elite Force do hereby affirm and declare on oath that the contents of the Instant Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

Momin

Deponent



Annex 'A' (1) 4

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. 144 /2019



Khyber Pakhtunkhwa
Service Tribunal
Diary No. 135
Dated 30/1/2019

Momin Khan Ex-ASI Khyber Pakhtunkhwa Elite
Force.

....Appellant

VERSUS

- 1- The Provincial Police Officer, Khyber Pakhtunkhwa
Peshawar
- 2- District Police Officer Nowshera
- 3- Regional Police Officer Mardan.
- 4- The Additional Inspector General Of Police/Commandant
Elite Force Khyber Pakhtunkhwa Peshawar.
- 5- The Additional Inspector General Of Police, CTD, Khyber
Pakhtunkhwa Peshawar.
- 6- The Deputy Commandant Elite Force Khyber
Pakhtunkhwa, Peshawar.

....Respondents

APPEAL U/S-4 OF THE KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL ACT
1974 AGAINST THE ORDER DATED 13/03/2018
COMMUNICATED TO THE APPELLANT ON
16/10/2018 WHEREBY THE APPELLANT HAS
BEEN AWARDED THE MAJOR PUNISHMENT

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

5
Appeal No. 144/2019
Momin Khan vs Govt


10.11.2022


Counsel for the appellant present.

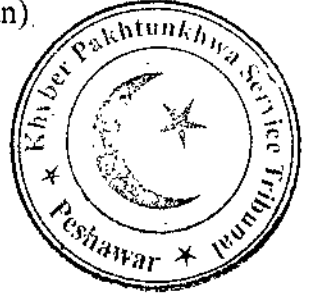
Naseer Ud Din Shah learned Assistant Advocate General for the respondents present.

Learned counsel for the appellant submitted an application stating therein that the appellant has been arrested in a criminal case, therefore, case may be adjourned. Last chance is given. To come up for arguments on-21.12.2022 before D.B.

RECEIVED
10/11/2022


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)




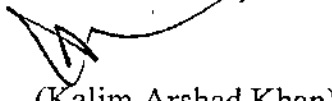
21st Dec, 2022

Nobody present on behalf of the appellant. Mr. Muhammad Jan, District Attorney for the respondents present.

2. Last chance was given to the appellant for arguments but today nobody put appearance on behalf of the appellant despite repeated calls at different intervals till rising of the court, therefore, 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 21st day of December, 2022.

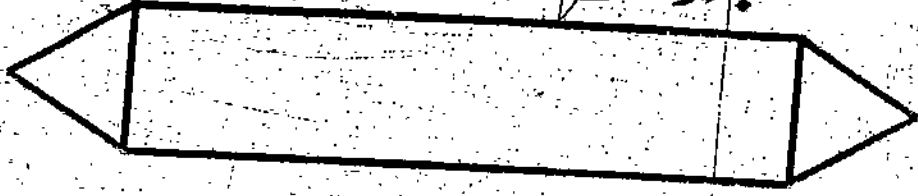

(Salah Ud Din)
Member (Judicial)


(Kalim Arshad Khan)
Chairman

of Presentation of Application 04-01-2023
Number of Words Page 2-Pages
Copying Fee 10/-
Urgent 4/-
Total 14/-
Name of Copy Sheljaal
Date of Completion of Copy 04-01-2023
Date of Delivery of Copy 04-01-2023

Certified to be true copy
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

1 Before the court of Service Tribunal
بعد الت
Pattana



2 منجانب
بنام

مورخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ

کیا ہے / روشنی دلان

آن مقام

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے ق تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ار عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی
اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا محتاج ہوگا۔ از بصورت ضرورت
مقدمہ مذکور 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 بھی وہی جملہ مذکور با اختیارات حاصل ہوں گے
اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے
سبب ہے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔
کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

2023

ماہ 1

4

الرقوم

واہ العبد

دے

العبد

attested by
D. Man

منجانب
Momin