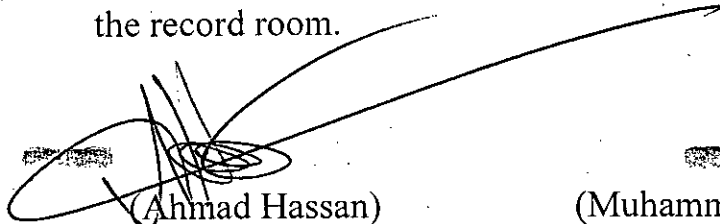
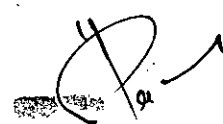


31.01.2020 Petitioner absent. Learned counsel for the petitioner absent.
Case called but neither the appellant nor his counsel turned
up. Consequently the present restoration application is hereby
dismissed in default. No order as to costs. File be consigned to
the record room.



(Ahmad Hassan)
Member






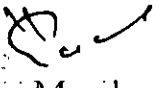


(Muhammad Hamid Mughal)
Member

ANNOUNCED.
31.01.2020

Form-A
FORM OF ORDER SHEET

Court of _____

Appeal's Restoration Application No. 310/2019

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	27.08.2019	<p>The application for restoration of appeal No.851/2014 submitted by Syed Mudasir Pirzada Advocate, may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2	6-9-19	<p>This restoration application is entrusted to D. Bench to be put up there on <u>31-10-19</u></p> <p style="text-align: right;"> CHAIRMAN</p>
31.10.2019		<p>Appellant in person present and seeks adjournment that his counsel is not in attendance. Adjourned to 27.12.2019 before D.B. <i>Notice be issued by the results for reply.</i></p> <p> Member</p> <p style="text-align: right;"> Member</p>
27.12.2019		<p>Learned counsel for the petitioner present. Mr. Zia Ullah learned Deputy District Attorney present and submitted reply. Adjournment requested. Adjourn. To come up for arguments on 31.01.2020 before D.B.</p> <p style="text-align: center;"> Member</p> <p style="text-align: right;"> Member</p>

BEFORE THE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal : 851 / 2014

Restoration Application No. 310/2019

Inspector Mazhar Jehan S/o Jehan Khan R/O Barh Tehsil & District Kohat (Presently) CTD
Police Line Kohat.

(Appellant)

VERSUS

1. Deputy Inspector General of Police Kohat Region Kohat
2. Provincial Police Officer / Inspector General Of Police KPK

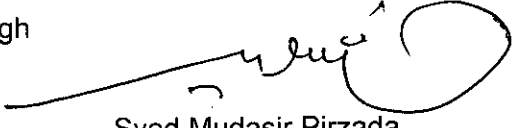
(Respondent)

INDEX

Sr No	Description of Documents	Annexure	Page
1	Memo of Application along with restoration Application		
2	Affidavit		
3	Copy of order of dismiss in default. Along with Application for copy	A	1-3
4	Wakalatnama		


Appellant

Through


Syed Mudasir Pirzada
Advocate HC
0345-9645854

Date 27/08/2019

BEFORE THE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal 851/2014

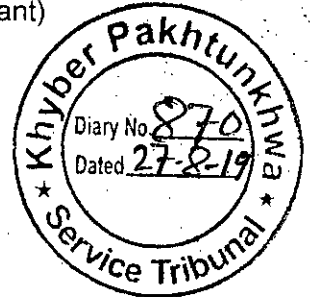
Restoration Application NO. 310/19

Inspector Mazhar Jehan S/o Jehan Khan R/O Barh Tehsil & District Kohat (Presently) CTD
Police Line Kohat.

(Appellant)

VERSUS

1. Deputy Inspector General of Police Kohat Region Kohat
2. Provincial Police Officer / Inspector General Of Police KPK



(Respondent)

APPLICATION FOR RESTORATION OF SERVICE APPEAL WHICH WAS
DISMISSED IN DEFAULT ON DATED 13-06-2019

Pray:

In view of above submission it is requested, by accepting of instant application may graciously be accepted and restored the original appeal for the end of justice.

Respectfully Sheweth,

With great veneration the instant application is preferred by the appellant on the following grounds:-

That the appellant service appeal bearing No:851 was subjudice before the honorable tribunal and was fixed for final arguments which was dismissed and default. (Copy of order is annexed as annexure A).

2- That the council of the appellant was engaged in some other cases and was not informed about the fixation of the date nor any notice of hearing was served upon the appellant as well as nor to appellant council.

3- That the appellant was informed by the staff of the honorable tribunal that the service appeal of the appellant was dismissed and default on dated: 17/06/2019 and the copies of the order sheet were provided to the appellant on dated 22/08/2019.


4- That the application of the appellant is within time.

5- That non appearance of the appellant as well as appellant council is not deliberate and due to miscommunication the appellant as well as appellant council was unable to appear before august honorable service tribunal Peshawar.

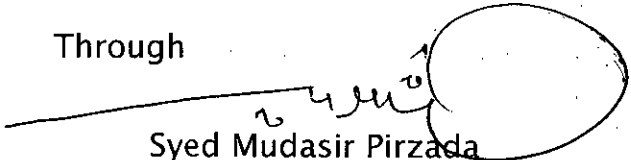
6- That the appellant shall be very much careful in all proceedings of the honorable tribunal in future.

Therefore it is humbly prayed that the application may graciously be accepted in the service appeal of the appellant on score of above material facts be restored for the end of justice

Dated: 21/08/2019.


(Appellants)

Through


Syed Mudasir Pirzada
Advocate HC.
District Courts Kohat
0345-9645854

BEFORE THE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 851/2014

Inspector Mazhar Jehan S/o Jehan Khan R/O Barh Tehsil & District Kohat (Presently)
CTD Police Line Kohat.

(Appellant)

VERSUS

1. Deputy Inspector General of Police Kohat Region Kohat
2. Provincial Police Officer / Inspector General Of Police KPK

(Respondent)

AFFIDAVIT

I, Syed Mudasir Pirzada Advocate, as
per instruction of my client do here by
solemnly affirm and declare that all the
contents of accompanying service
appeal are true and correct to the best
of my knowledge and belief and
nothing has been concealed from this
Hon'ble Tribunal

27/8/19
Advocate

BEFORE THE SERVICE TRIBUNAL, K.P.K, PESHAWAR



Service Appeal No. 851 2014

893
13/6/2014

Inspector Mazhar Jehan S/o Jahan Khan R/o Barh Tehsil & District Kohat (Presently) Counter Terrorism Department Police Line Kohat
..... (Appellant)

VERSUS

1. Deputy Inspector General of Police, Kohat Region Kohat
2. Provincial Police officer / Inspector General of Police KPK Peshawar


..... (Respondents)

APPEAL U/S 4 of Service Tribunal Act 1974 against the impugned order No. 1714 / E C dated Kohat 12-02-2013 of the respondent No. 1 who awarded punishment for feature of 2 years approved service of the appellant.

PRAYER:

On acceptance of this appeal, the impugned order dated 12-02-2013 awarded punishment mentioned above of respondent No. 1 to the appellant may kindly be set-aside and also other suitable remedy may kindly be granted.


ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Ser. 111
Peshawar

15.04.2019

None present on behalf of the appellant. Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith Mr. Ishaq Gul, DSP (Legal) for the respondents present. Notice be issued to appellant and his counsel for attendance and arguments for 13.06.2019 before D.B.


(HUSSAIN SHAH)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

13.06.2019

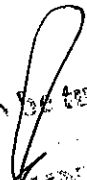
None present on behalf of the appellant. Mr. Kabirullah Khattak, Additional AG for the respondents present. Called several times till 4:00 PM but no one appeared on behalf of the appellant nor he was present in person. Therefore, the appeal in hand is dismissed in default. File be consigned to the record room.

ANNOUNCED
13.06.2019


(AHMAD HASSAN)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

Certified to be true copy


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Registration of Document	17-6-2019
Number of Words	800-
Copying Fee	17-
Urgent	
Total	17-
Name of Copyist	
Date of Copying of Document	22-8-2019
Date of Issuance of Copy	22-8-2019

گرفت ضابطہ اس کے لئے منظور کیا گیا

صنعتی ہوائی جہاز
ایئر لائن 875/14
IGP کے لئے منظور کیا گیا

دو ہوائی جہازوں کے لئے منظور کیا گیا

صدا و ٹیلی گراف
ایئر لائن کے لئے منظور کیا گیا

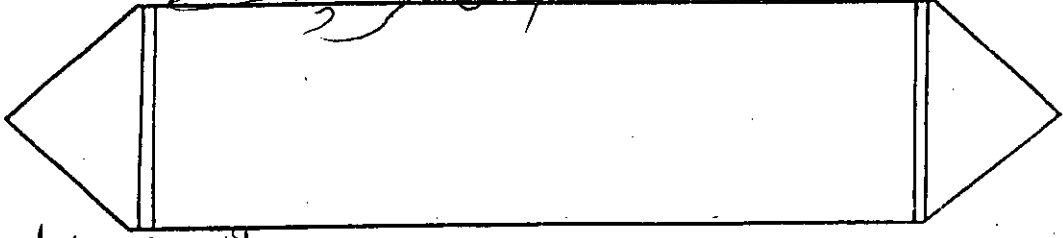
ایئر لائن کے لئے منظور کیا گیا
صرف ہوائی جہازوں کے لئے منظور کیا گیا

ایئر لائن کے لئے منظور کیا گیا
صرف ہوائی جہازوں کے لئے منظور کیا گیا

17/8/19

ایئر لائن کے لئے منظور کیا گیا
صرف ہوائی جہازوں کے لئے منظور کیا گیا
Allowed as per rules
Comrest
17/8/19

بعدالت اصول رٹو بنولہ کے لئے



2019ء منجانب اپیل رٹ

بنام IGP-etc

بنام

فطرت جہاں

اپیل رٹ

مدرجہ

مقدمہ

دعویٰ

جرم

باعث تحریر آئندہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
 آن مقام کے لئے سید عدتہ بی بی راہ کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
 مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
 وکیل صاحب کو راضی نامہ کرنے و تقرر ثالتہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
 بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
 زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برآمدگی اور منسوخی
 نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
 کے کل یا جزوی کاروائی 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 مذکورہ با اختیار حاصل ہوں گے اور اس کا ساختہ
 پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانبہ التوائے مقدمہ کے سبب سے ہوگا۔
 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 سندر ہے۔

2019

ماہ اگست

المرقوم 27/8/19

واہ العب

Accepted
 &
 Approved

کے لئے منظور ہے۔

مقام

مقام

Before The Udyog Pakhshakar Service Tribunal Peshawar

S. Appeal No 257/2014

Mazhar Jehum

VS

DIG

Reply to the Application for Restoration

Respectfully Submitted

preliminary objections - That the petitioner has no cause of Action
ii) That the petitioner has not come to court with clean hands
iii) That the petition is time barred.

Facts 1- no comments

- 2- incorrect. no cause list of any court has been annexed which shows the engagement of the counsel further the appellant was also absent even on the previous date 15.4.19
- 3- subject to proof. However dates submissions of Application for attested copies seems to be Tempered Hence the Petition being time barred may be dismissed.
- 4- incorrect. The petition is time barred.
- 5- incorrect. the non appearance is wilful.
- 6- no comments

It is therefore requested that the petition may kindly be rejected.

Dated

27/12/19

Respondent,

Through

DDA