


29.08.2022

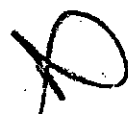

Clerk of learned counsel for the petitioner present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

The Lawyers are on strike and Learned Member (Judicial) Ms. Rozina Rehman is also on leave, therefore, to come up reply and arguments on restoration application on 22.11.2022 before the D.B.

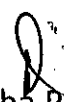

(Salah-Ud-Din)
Member (Judicial)

22.11.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt Additional Advocate General for the respondents present.

 Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come for arguments before the D.B. on 19.01.2023. 

SCANNED
KPST
Peshawar


(Fareeha Paul)
Member(E)



(Kalim Arshad Khan)
Chairman

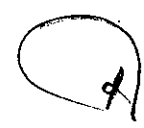
19th Jan. 2023

Lawyers are on strike today.

To come up for arguments on 14.03.2023 before the D.B. Office is directed to notify the next date on the notice board as well as the website of the Tribunal.

SCANNED
KPST
Peshawar


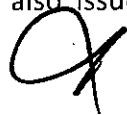

(Fareeha Paul)
Member(E)


(Rozina Rehman)
Member (J)

Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 271/2022

| S.No. | Date of order Proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|--|
| 1 | 2 | 3 |
| 1 | 28.04.2022 | <p>The application for restoration of appeal No.394/2016 submitted today by Mr. Hayatullah 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 | 28-5-22 | <p>This restoration application is entrusted to D.B at Peshawar to be put up there on <u>9.6.22</u>. Original file be requisitioned. Notices to the appellant be also issued for the date fixed.</p> <p style="text-align: right;"> CHAIRMAN</p> <p style="text-align: center;"><i>Proper D.B is in Term, therefore the restoration application is adjourned to 29.8.22 for same.</i></p> |

*dated 7.15
09/06/22 by
COUNCIL
9.6.22*

BEFORE THE CHAIRMAN KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

CM No. 271 of 2022

In

Service Appeal No.394 of 2016

Muhammad Hasan Applicant / appellant

VERSUS

Commissioner Peshawar Division Peshawar and
others Respondents

INDEX

| S.No. | Description of documents | Annexure | Pages |
|-------|--------------------------------|----------|-------------|
| 1- | Application for restoration | | 1-2 |
| 2- | Affidavit | | 3 |
| 3- | Copy of order dated 08/04/2022 | "A" | 4-5 |
| 4- | Copy of medical prescription | "B" | 6 |
| 5- | Wakalat Nama | | In original |

Dated 28/04/2022

Petitioner/appellant

Through



Hayat Ullah

Advocate,

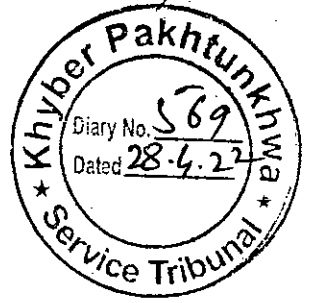
High Court, Peshawar.

Cell # 0321-9189277

(1)

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

CM No. 271 of 2022
In
Service Appeal No.394 of 2016



Muhammad Hasan Son of Nawab Khan R/o Zaid Ullah
Kaley, Tehsil & District Charsadda Ex-Patwar
Revenue Department Nowshera.

... .. Applicant / appellant

VERSUS

- 1- Commissioner Peshawar Division Peshawar
- 2- Deputy Commissioner Nowshera

... .. Respondents

**APPLICATION FOR RESTORATION
OF SERVICE APPEAL NO.394/2016
WHICH WAS DISMISSED IN
DEFAULT ON DATED 08/04/2022.**

Respectfully Sheweth:

- 1) That the above mentioned service Appeal was pending adjudication before this Hon'ble Tribunal and was fixed for 08/04/2022.
- 2) That on the date fixed appellant was informed telephonically through his son to attend this Hon'ble Tribunal but he was admitted in "Ihsas Welfare Organization" for rehabilitation and senior counsel for appellant

(1)

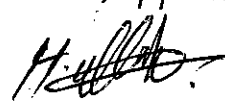
was busy in Hon'ble Peshawar High Court, Peshawar and was unable to attend this Hon'ble Tribunal and the above mentioned service appeal was dismissed in default on dated 08/04/2022. (Copies of order dated 08/04/2022 and medical prescription are annexed as Annexure "A&B" respectively)

- 3) That the instant application is well within time and applicant / appellant will attend this Hon'ble Tribunal regularly.
- 4) That it will be in the interest of justice, equity and fair play, that the service of the applicant / appellant may kindly be restored.
- 5) That any other ground will be raised at the time of arguments with the prior permission of this Hon'ble Tribunal.

It is, therefore, most humbly prayed that on acceptance of this application, the instant service appeal may kindly be restored.

Dated 28/04/2022

Petitioner/appellant
Through


Hayat Ullah
Advocate,
High Court, Peshawar.

BEFORE THE CHAIRMAN KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

CM No. _____ of 2022

In

Service Appeal No.394 of 2016

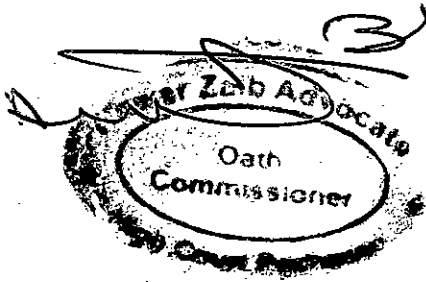
Muhammad Hasan Applicant / appellant

VERSUS

Commissioner Peshawar Division Peshawar and
others Respondents

AFFIDAVIT

Stated on oath that as per instruction of my client
all the contents of the above application are true and
correct and that nothing has been kept concealed from
this Hon'ble Tribunal.




DEPONENT

④

Annexure "A"

1

A.W.F. Province
Service Tribunal
Diary No. 371
Date 13-4-2016

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

IN RE; Service Appeal NO. 394/2016



Muhammad Hassan S/O Nawab Khan R/O Zaidullah Killay Tehsil and District Charsadda Ex-Patwari Revenue Department Nowshera.....Appellant

Versus

1. Commissioner Peshawar Division Peshawar.
2. Deputy Commissioner Nowshera..... Respondents

Service Appeal U\Section 4 of the KPK Service Tribunal Act, 1974 against the order dated 17-02-2016, conveyed vide letter dated 01.04.2016 passed by respondent no.1 whereby departmental appeal of the appellant against order dated 18.09.2015 passed by respondent no.2 through which appellant was dismissed from service, hence the instant appeal.

Prayer in Appeal; To set-aside the order dated 17-02-2016 passed by respondent no.1 whereby departmental appeal of the appellant was dismissed which was filed against order dated 18.09.2015 passed by respondent no.2 and appellant be reinstated in service with all back benefits.

Respectfully Sheweth;

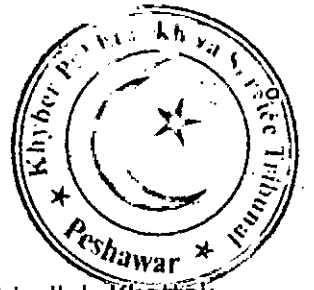
1. That the appellant was serving as Patwari in revenue department Nowshera and had rendered 13 years service as such in various Patwar Circles.
2. That appellant performed his duty to the entire satisfaction of his superior and never once any complaint has ever been filed against the appellant and has worked in the department with devotion, and to the best of his ability and honesty.

13/4/16

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Appeal No. 306/2018
M. Hassam vs Govt



08th April, 2022

No one is present for appellant. Mr. Kabirullah Khattak, learned Addl. AG for the respondents-present.

2. Case was called time and again but none appeared on behalf of the appellant till closing hours. Consequently the present service appeal is dismissed in default.

3. Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal this 08th day of April, 2022.

(Kalim Arshad Khan)
Chairman

(Mian Muhammad)
Member (E)

Date of Presentation of Appeal 13-04-22
Number of Words 800
Copying Fee 10/-
Stamp 5/-
Total 10/-
Date of Completion 25-04-22
Date of Completion of Copy 25-04-22
Date of Delivery of Copy 25-04-22

Certified true copy
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

44-5731P-1820

Amexude "B"

سزا و با

IHSAS

Welfare Organization

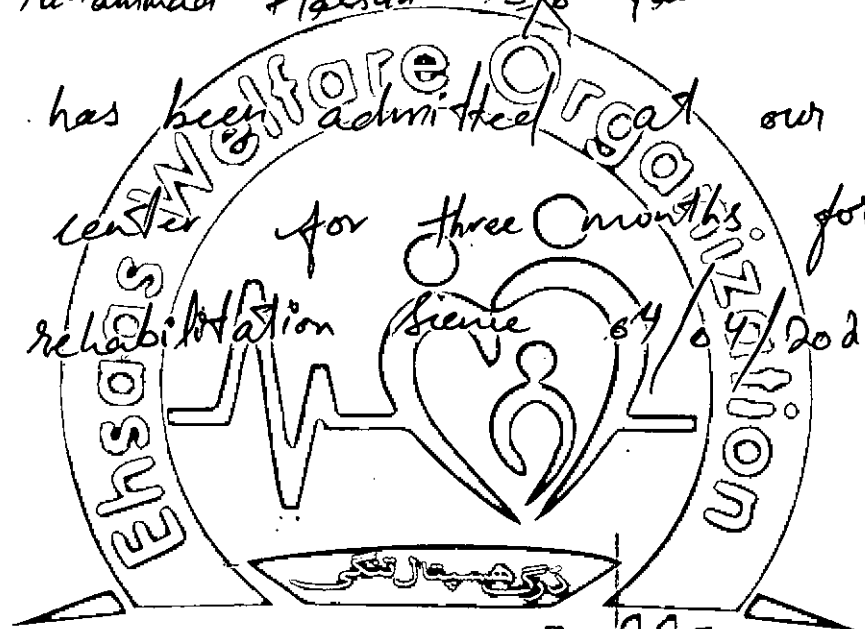


Name M. Hassan Age _____ Sex Male Date 26/04/2022

Clinical Record

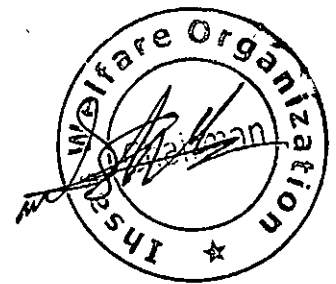
Pr

It is stated that
Muhammad Hassan of Nawab Khan
has been admitted our
center for three months for
rehabilitation since 26/04/2022.



ایس ایس ایف وی اے
رابطہ نمبر 03450965595

SUJMAN SHAH
Chairman
IHSAS Welfare Organization



Medical Officer: _____

ایڈوکیٹ:

بار کونسل ایسوسی ایشن نمبر:

سیریل نمبر: 1363

دستخط:

رابطہ نمبر:



تخصیص بار ایسوسی ایشن تنگی ضلع چارسده


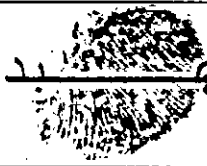
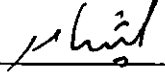
بعدالت جناب:

| | |
|--------|-----------|
| مخاجب: | دعوی: |
| | علت نمبر: |
| | مورخہ: |
| | جرم: |
| | تھانہ: |

باعث تحریر آگہ

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

آن مقامی کر کے اقرار کیا جاتا ہے کہ صاحب موصوفت کو مقدمہ کی کل کاروائی کا کابل اختیار ہوگا؛ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط ہوگا؛ نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی بڑ آمدگی، اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ 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 وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا کوئی تارس پیش مقام دودہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند ہے۔

المقوم: 
 العبد 
 گواہ شد العبد 
 کے لیے منظور ہے۔

نوٹ: اس وکالت نامہ کی فوٹو کاپی ناقابل قبول ہوگی۔