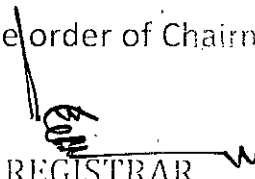


FORM OF ORDER SHEET

Court of _____

Restoration Application No: 200/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	30.03.2023	<p>The application for restoration of Appeal no. 1219/2022 submitted today by Mr. Shamsul Hadi Advocate. It is fixed for hearing before touring Single Bench at Swat on _____ Original file be requisitioned. Notices be issued to applicant and his counsel.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,

Restoration Appli **PESHAWAR**

CM No:- NO 200/ /2023

In

Service Appeal No. 1219-P/2022

Khyber Pakhtunkhwa
Services Tribunal

Registry No. 4631

Dated 30/3/2023

Mst. Shabana W/o Muhammad Ayaz presently posted
at BHU Bokand Buner presently residing at Village
Bokand, Tehsil Daggar District Buner.

.....**Applicant**

Versus

1. District Health Officer, Buner
2. Govt. of KPK through Chief Secretary Civil Secretariat, Peshawar
3. Govt. of KPK through Secretary Health, Civil Secretariat, Peshawar
4. Mst. Nahida Begum posted BHU Nawakalay, Buner.

.....**Respondents**

**APPLICATION FOR RESTORATION OF THE
ABOVE TITLED SERVICE APPEAL
NO.1219/2022 AND DECISION ON MERIT.**

Respectfully Sheweth:-

1. That the appellant has filed the above titled service before this Hon'ble Tribunal.
2. That the above titled case was fixed for hearing before this Honourable Tribunal on 08/02/2023 but was dismissed in default for non prosecution. **(Copy of order dated 08/02/2023 is attached herewith)**

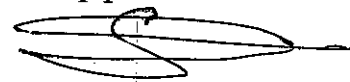
3. That the appellant as well as her counsel were unaware about the date fixed and the instant appeal was not mentioned in the cause list but later on added in the cause list due to which the appellant as well as her counsel were failed to put their attendance before the Tribunal on date fixed.
4. That law favors decision on merit of avoids technicalities moreover the application is quit with in time.
5. That the above captioned case had been admitted for full hearing and valuable rights of appellant is involved for its decision on merit.

It is, therefore, most humbly prayed that on acceptance of this application the above tilted case may kindly be restored for its decision on merit.

Dated:- 29/03/2023

Through:-

Appellant



Shams Ul Hadi
Advocate, Supreme
Court of Pakistan

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

CM No:- _____/2023

In

Service Appeal No. 1219-P/2022

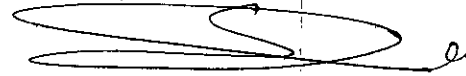
Mst. Shabana Bibi

Versus

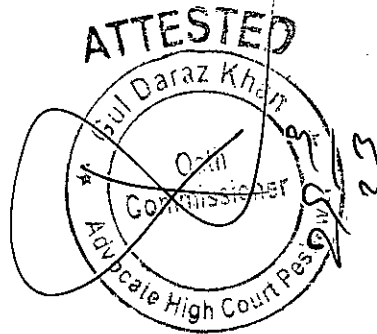
DHO, Buner

AFFIDAVIT

I, **Shams Ul Hadi Advocate, (Counsel for appellant)**, do hereby solemnly affirm and declare on oath that the contents of accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable court.



ADVOCATE



①

BEFORE THE PESHAWAR HIGH COURT MINGORA

BENCH

Service Appeal No: 1219/2022

W.P No. 267 -M/2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 989

Dated 12/8/2022

S
Bibi

Mst. Shabana wife of Muhammad Ayaz,

Presently posted at BHU Gokand Buner,

Presently residing at Village Gokand, Tehsil Daggar,

District Buner.



.....Petitioner

VERSUS

1. District Health Officer Buner.
2. Government of Khyber Pakhtunkhwa through Chief Sectary Civil Secretariat Peshawar.
3. Government of Khyber Pakhtunkhwa through Secretary Health Civil Sectariat Peshawar.
4. Mst. Nahida Begum posted BHU Nawaykalay, Buner.

.....Respondents

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION
OF ISLAMIC REPUBLIC OF PAKISTAN, 1973

Respectfully Sheweth,

Brief facts leading to the institution of the present petition

are:

1. That materials facts that lead to the institution of the instant writ petition are that the

FILED TODAY

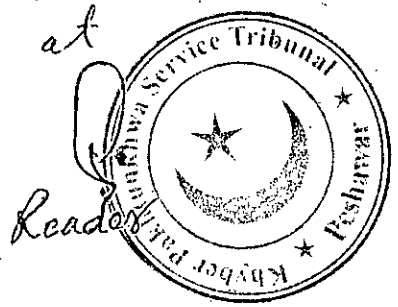
28 FEB 2022

Additional Registrar

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

6-12-22- Due to winter vacation, therefore,
case is adjourned to 8-2-2023 at
Camp Court Swat

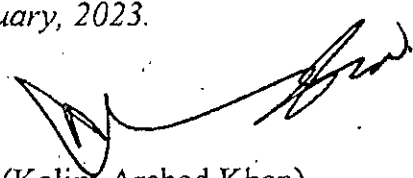


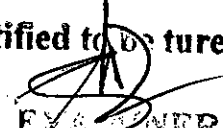
08th Feb, 2023 Nobody is present on behalf of the appellants. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

2. On 05.10.2022 this appeal was admitted to regular hearing with the direction to the appellant to deposit security and process fee within 10 days and the matter was adjourned to 07.11.2022. On 07.11.2022 as the appellant had not deposited security and process fee and last chance was given to deposit security and process fee within 03 working days but he could not, therefore, this appeal is dismissed for non-compliance of the court order. Consign.

3. Pronounced in open court in Swat and given under my hand and seal of the Tribunal on this 08th day of February, 2023.

Date of Presentation of Application 28/3/23
Number of Words 27
Copying Fee 10/-
Urgent 15/2
Total 15/2
Name of Copyies:
Date of Completion of Copy 28/3/23
Date of Delivery of Copy 28/3/23


(Kalim Arshad Khan)
Chairman
Camp Court Swat

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar