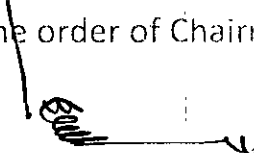


FORM OF ORDER SHEET

Court of _____

Restoration Application No. 201/2023

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. 1426/2022 submitted today by Mr. Noor Muhammad Khattak 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 style="text-align: right;">By the order of Chairman</p> <p style="text-align: center;">  REGISTRAR </p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Restoration
Appli No - 201/2023 CM. NO. _____/2023
IN
APPEAL No. 1426/2022

MST. NAFEESA SHEREEN

VS

EDUCATION DEPTT:

INDEX

S. NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of Application with Affidavit	1
2.	Order Sheet dated	"A"	2-3
3.	Vakalatnama	4

APPLICANT

THROUGH:


NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT

- 1 -

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

CM. NO. _____/2023

IN

APPEAL No. 1426/2022

MST. NAFEESA SHEREEN

VS

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 4632

Dated 30/3/2023

1. The Secretary Elementary & Secondary Education, Civil Secretariat, Peshawar.
2. The Director Elementary & Secondary Education, Peshawar.
3. The district Education Officer (Female) Shangla.

APPLICATION FOR RESTORATION OF THE ABOVE MENTIONED APPEAL.

R/SHEWETH:

- 1- That the above titled service appeal was pending adjudication before this Honorable tribunal which was fixed on 08.03.2023.
- 2- That the counsel for the petitioner was busy in The Peshawar High Court at Peshawar as well as was engaged at principal bench of this Honorable Tribunal at Peshawar.
- 3- That the mentioned service appeal was dismissed for non-prosecution vide order dated 08.03.2023. Copy of the order sheet dated 08.03.2023 is attached as annexureA.
- 4- That as the matter pertaining in the instant appeal has not been decided on merit, therefore the mentioned service appeal may be restored for the sack of justice.
- 5- That there is no legal bar in restoring the mentioned appeal.

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

Dated: 29/3/2023



Nafeesa
PETITIONER/APPLICANT

Through:

Noor Muhammad Khattak
NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT

AFFIDAVIT

I, Nafeesa Shereen, D/O Sherin Zada (the applicant), do hereby solemnly affirm that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

Nafeesa
DEPONENT

4 A 2--

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

APPEAL NO. 1426 /2022



Mst. Nafeesa Shereen D/o Sherin Zada, PST (BPS-12),
At GGPS Kohay Aloch Puran, Shangla.

..... APPELLANT

VERSUS

- 1- The Secretary Elementary & Secondary Education, Civil Secretariat Khyber Pakhtunkhwa, Peshawar.
- 2- The Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer (Female) Shangla.

..... RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE INACTION OF THE RESPONDENTS BY NOT MODIFYING/RECTIFYING THE IMPUGNED APPOINTMENT ORDER DATED 14.09.2021 AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:

That on acceptance of this appeal the respondents may be directed to modify/rectify the impugned appointment order dated 14.09.2021 to the extent that effect may be given from 17.11.2017 with all back benefits including seniority. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

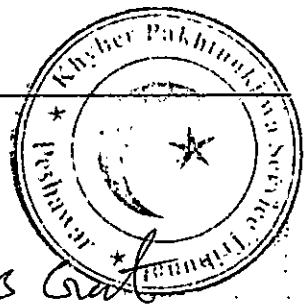
R/SHEWETH:

ON FACTS:

Brief facts giving rise to the present appeal are as under

- 1- That the father of the appellant was serving as SPST (BPS-14) in the respondent department who has died during service. Copy of relevant record is attached as Annexure.....A.

Certified to be true copy.
F. S. W. R.
Khyber Pakhtunkhwa
Service Tribunal
Peshawar.



-3-

Service Appeal No. 1426/2022 , Nafeesa ghereen vs Govt

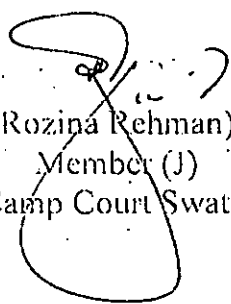
08.03.2023 Nemo for appellant.

Case was called time and again but none appeared on behalf of appellant till rising of the Bench. As such the instant service appeal stands dismissed in default for non-prosecution. No order as to costs. File be consigned to the record room.

Announced
08.03.2023

Certified true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar


(Rozina Rehman)
Member (J)
Camp Court Swat

Date of Presentation of Application 13-3-2023
Number of Page 2
Copying Fee 10/-
Urgent _____
Total 10/-
Name of Co _____
Date of Completion 27-3-2023
Date of Delivery of Copy 27-3-2023

-4-

VAKALATNAMA
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Nafeesur Shiveen

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Govt

(RESPONDENT)
(DEFENDANT)

I/We Applicant

Do hereby appoint and constitute **Noor Mohammad Khattak Advocate Supreme Court** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ____/____/202

Nafeesur
CLIENT

ACCEPTED

-NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT
(BC-10-0853)
(15401-0705985-5)

Kamran Khan
KAMRAN KHAN

Umar Farooq Mohmand
UMAR FAROOQ MOHMAND
Waleed Adnan
WALEED ADNAN

&
Muhammad Ayub
MUHAMMAD AYUB
ADVOCATES

OFFICE:
Flat No. (TF) 291-292 3rd Floor,
Deans Trade Centre, Peshawar Cantt.
(0311-9314232)