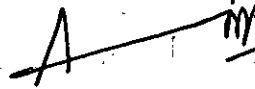


Form-A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Restoration Application No. **156/2023**

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	09.03.2023	<p>The application for restoration of Appeal no. 1200/2017 submitted today by Syed Noman Ali Bukhari Advocate. It is fixed for hearing before Division Bench at Peshawar on _____ Original file be requisitioned. Parcha Peshi is given to appellant/Counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

**BEFORE THE KP, SERVICE TRIBUNAL, PESHAWAR.**

(1)

Service Appeal No. 1200/2017

*Restoration Application*  
*NO-156/2023*

Khyber Pakhtunkhwa  
Service Tribunal

Diary No.

*4185*

Dated

*9/3/2023*

Muhammad Ismail, Senior Clerk,  
District Officer Soil Conservation, Bannu.

**VERSUS**

1. The Secretary to Govt: of KP, Agriculture, Livestock, Fisheries & Cooperative Department, Civil Secretariat, Peshawar.
2. The Director Soil Conservation, Tarnab Farm KPK, Peshawar.
3. The Secretary to Govt: of KP Finance Department, Civil Secretariat, Peshawar.

**APPLICATION FOR RESTORATION OF SERVICE  
APPEAL NO. 1200/2017 WHICH WAS DISMISSED  
ON DEFAULT VIDE ORDER DATED 31.10.2022  
COMMUNICATED TO THE APPELLANT ON  
02.03.2023.**

**RESPECTFULLY SHEWETH:**

1. That the instant appeal was pending before this august Tribunal which was fixed for arguments on 31.10.2022.
2. That on 31.10.2022, the counsel alongwith appellant properly attend the Court and the case was adjourned for the date 13.12.2022 which is evident from the diary, cause list and online status of the case on website of KP Service Tribunal, Peshawar. **Copy of the relevant page of diary, cause list & online status of case are attached as Annexure-A, B & C.**
3. That on 13.12.2022 the above mentioned appeal was fixed at Sr. No. 3 before the bench but on query from the reader regarding the mentioned appeal the reader told that the case file is missing and not traceable and further stated that when the file was found then we properly informed you regard the case. **Copy of the cause list 13.12.2022 is attached as Annexure-D.**
4. That the appellant and the counsel for the appellant asked for the file from time to time but every time reader told that the file still not found but now information was given that the file was dismissed in default on 31.10.2022 thereafter the appellant immediately file

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application for copy of order sheet dated 31.10.2022 the same was received on 02.03.2023. copy of the order sheet is attached as Annex-E.


5. That the restoration application is well in time after getting knowledge about the dismissed in default order.
6. That the appellatant has good prime facie case, if decide on merit.

It is therefore, most humbly prayed that on acceptance of this application, the appeal may kindly be restored which was dismissed in default due to non prosecution and decides the same on merit. Any other remedy which this august Tribunal deems fit and appropriate that may also be awarded in favour of the appellatant.

**APPELLANT**

Muhammad Ismail

THROUGH:-

  
**(S. NOMAN ALI BUKHARI)**  
**ADVOCATE HIGH COURT,**  
**PESHAWAR.**

**AFFIDAVIT**

It is affirmed and declared that the contents of application are true and correct to the best of my knowledge and belief.

09 MAR 2023

  
**DEPONENT**



7091/21 → Khalid UR Rohman → Health Member Instruction  
 31.10.22 **DIARY** 1995 A (3)

Diary Serial No.	No. and Date of document received	From whom received	File	Special instructions
17/10	879/22	Mahab Tajiz	Edu	21/11
2/8	1160/19	M. Buzarg Baig	Police	
	9619/20	Akhtar Ali	Prison	12/12
	9602/20	Hazrat Yousaf	SMBR	3/1/2021
	8489/20	Sher Alam	-do-	5/12
	7308	Eid Badshah (1)	Edu	20/12
	1206/17	M. Ismail	Agri	13/12
	8645/20	Saeed U Rehman	Judiciary	5/12
2/8	2319/21	Ahmad Saeed	T-Edu	7/12
	6729/21	Sami Ullah	Edu	7/12
	2510/21	Arif Ullah	Estab	7/12
	254/17	Moeen Gul		
	15578/20	Sadaqat Ali	Judiciary	20/12
	11015/20	Kabir Khan	Edu	20/12
	1427/17	Rubina Javed		
	2242/19	Tamiz Ud Din	Edu	
	7405/21	Sadia Asghar	Estab	
	1070/18	Zia Ullah	Health	
2/8	4808/21	Shahid Raees Gul		
3/8	25/19	Mohib Ullah	Levies	
SB 3/8	7926/21	Said Wali (8)	Ed	
31/10 SB	489/22	Hidayat Ullah	Police	
13/10	7900/21	M. Rafiq Jhalil	Edu	17/11
14/10	1087/19	Amir Ullah	SMBR	
	1370/19	Rashid Adnan	Prison	
	1730/19	Sami Ullah	Police	

Note: Date of receipt in Branch is to be written on the centre of the page at the beginning of each day's entry. Column 5 is to be left blank unless necessary.

B

4

LIST OF DB - I CASES FIXED BEFORE MR. KALIM ARSHAD KHAN, CHAIRMAN & MS. FAREEHA PAUL, MEMBER (EXECUTIVE)

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

31/10/2022 (MONDAY)

ARGUMENTS

S.NO	APPEAL NO.	APPELLANT NAME	DEPARTMENT	NEXT DATE
1	16227/20	ARSHAD ALI (56)	M&M	6/12
2	12077/20	NISAR AHMAD (15)	POLICE	28/11
3	3299/20	M ISRAR (13)	EDU	29/11
4	7926/21	SAID WALI (8)	EDU	29/11
5	1150/12	ABDUR RAHIM	PHE	1/12
6	158/14	ABDUR RAHIM	PHE	1/12
7	47/17 EP	IFTIKHAR AHMAD	POLICE	23/11 S/D
8	1200/17	M ISMAIL	AGRI	13/12
9	1427/17	RUBINA JAVED	HEALTH	
10	2541/17	MOEEN GUL	EDU	29/11
11	33/18	M SAJID	POLICE	29/11
12	29/18	TASLEEM BEGUM	EDU	Reserve
13	719/18	OWAIS ZAHID	EDU	13/12
14	1070/18	ZIA ULLAH	HEALTH	13/12
15	25/19	MOHIB ULLAH	LEVIES	28/11
16	52/19	ROHI BIBI (2)	EDU	29/11
17	342/19	SABIT KHAN	C&W	13/12
18	763/19	JAVED KHAN	SMBR	28/11
19	1087/19	AMIR ULLAH	SMBR	29/11
20	1160/19	M BUZARG BAIG	POLICE	14/12
21	1369/19	FARID IQBAL	HEALTH	14/12
22	1370/19	RABIA AKHTAR	P.WELFARE	28/11
23	1730/19	SAMI ULLAH	POLICE	14/12
24	2261/19	BAKHTAWAR JAN	EDU	"
25	2242/19	TAMIZ UD DIN	EDU	"



175.107.63.40/vic



MINISTRY OF AGRICULTURE  
GOVERNMENT OF PUNJAB  
SERVICES TRIBUNAL

# Case/Appeal Detail

Appeal No.  Search by Month

Case/Appeal No

SELECT YEAR 2001

Submit

APPEAL NO	YEAR	CASE TITLE	VS	DEPARTMENT	NATURE OF CASE	BENCH	DATE OF HEARING	PLACE OF HEARING
1200	2017	Muhammad Ismail	VS	Agriculture	I.W.P	DB	13/12/2022	Peshawar

6

D 6

LIST OF DB CASES FIXED BEFORE ROZINA REHMAN, MEMBER (JUDICIAL) &  
 MS FAREEHA PAULMEMBER (EXECUTIVE)  
 KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

13/12/2022 (TUESDAY)

ARGUMENTS

S.NO.	APPEAL NO.	APPELLANT NAME	DEPARTMENT	NEXT DATE
1	101/15	DR. SALAH UD DIN	HEALTH	10-1-23
2	1185/16	HAMZA ALI	POLICE	10-1-23
3	1200/17	M. ISMAIL	AGRI	
4	1427/17	DR. ROBINA JAVED	HEALTH	10-1-23
5	1105/16	ASMAT ULLAH	POLICE	22-12-22
6	1163/18	HAMEED UR REHMAN	POLICE	
7	1215/18	SHAH AFZAL	POLICE	
8	1369/19	FARMAN ALI	POLICE	
9	182/19	SAWAB GUL	POLICE	
10	436/17	KAMRAN	POLICE	
11	4923/20	M. SIAD	POLICE	
12	515/18	ABDUL TAWAB (5)	POLICE	
13	751/20	HAZRAT SHOAB	POLICE	
14	568/18	ALTAF HUSSAIN	EDU	10-1-23
15	821/18	SHOUKAT KAHN	POLICE	12-1-23
16	985/18	INAYAT ZAMAN	REVENUE	25-1-23
17	1394/18	SADIQ	HEALTH	22-2-23
18	342/19	SABIT KHAN	C&W	10-2-23
19	626/19	ARSHAD MUGHAL	EDU	10-2-23
20	779/19	M. SALEEM (1)	HEALTH	24-2-23
21	181/20	M. SHOAB (1)	EDU	1-3-23
22	5688/20	INAYAT KHAN	POLICE	1-3-23
23	6274/20	M. TAUFEEQ (3)	H. EDU	1-3-23
24	7950/20	NIAZ ALI (3)	POLICE	1-3-23
25	7960/20	M. BILAL ZIA	FOREST	1-3-23
26	10299/20	SHAHZAD UR REHMAN	REVENUE	10-1-22
27	11153/20	JEHANZEB	POLICE	1-3-23
28	15918/20	LIAQAT	EDU	1-3-23
29	2677/21	IHTISHAM UL HAQ (2)	REVENUE	1-3-23
30	1963/21	SAJJAD ALI	WILDLIFE	2-3-23
31	4527/21	IBRAR HUSSAIN	EDU	15-12-22
32	5812/21	SHAMIM AKHTAR	HEALTH	9-1-23
33	7319/21	JAMAL	POLICE	2-3-23
34	7820/21	FAZAL AMIN	POLICE	1-3-23
35	7868/21	AMIR BAZ KHAN	TRANSPORT	1-3-23
36	724/21	HAFSA NISHAN (1)	EDU	7-2-23
37	311/22	GOHAR ALI	EDU	23-12-22
38	506/22	MAHR UN NISA	EDU	12-1-23
39	911/22	SHANIDA PARVEEN	EDU	1-3-23
40	938/22	AMIR MOHAMMAD	POLICE	1-3-23
41	950/22	HALEEMA BIBI	EDU	23-12-22

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Handwritten notes at the bottom left:

- 377/22
- 1076/18
- 719/18

Handwritten notes at the bottom center:

- uzma nabeet
- sia ul lak
- m. owaiz zahid

Handwritten notes at the bottom right:

- 23-12-22
- 3-2-23
- 9-2-23
- 8-2-23

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**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.**

APPEAL NO. 1200 /2017

Khyber Pakhtunkhwa  
Service Tribunal

Muhammad Ismail, Senior Clerk,  
District Officer Soil Conservation, Bannu.

Diary No. 852

Dated 31-7-2017

(Appellant)

**VERSUS**

Ex 2 Part 2  
(2) (3) (5)  
W 3-18

- ✓ 1. The Secretary Agriculture, Khyber Pakhtunkhwa, Peshawar.
- ✓ 2. The Director Agriculture Engineering Department, Tamab Farm KPK, Peshawar.
- ✓ 3. The Director soil Conservation, Tamab Farm KPK, Peshawar.
- ✓ 4. Executive District officer, agriculture, tank.
- ✓ 5. District officer Soil Conservation Tank.
- ✓ 6. The Secretary Finance, KPK Peshawar.

(Respondents)

APPEAL UNDER SECTION-4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER 01.03.2017 COMMUNICATED TO APPELLANT ON 03.03.2017 WHEREBY THE APPELLANT WAS ADJUSTED AGAINST THE POST OF SENIOR CLERK AND PERIOD FROM 1.11.2012 TO ARRIVAL TREATED AS LEAVE WITHOUT PAY AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

**PRAYER:**

THAT ON ACCEPTANCE OF THIS APPEAL, THE IMPUGNED ORDER 01.03.2017 COMMUNICATED TO APPELLANT ON 03.03.2017 MAY BE MODIFIED AND PERIOD WITH EFFECT FROM 01.11.2012 TILL ARRIVAL MAY BE TREATED AS PERIOD WITH FULL PAY OR LEAVE OF KIND DUE WITH ALL BACKS AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND PROPER THAT MAY ALSO BE GRANTED IN FAVOUR OF THE APPELLANT.

Filed to-day  
Registrar  
31/7/17

Re-submitted to -day  
and filed.

Registrar  
22/10/17

Certified to be true copy  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

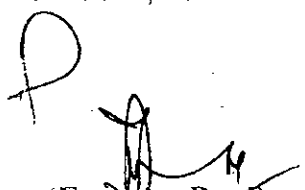





31<sup>st</sup> Oct., 2022 01. Nemo for the appellant. Mr Muhammad Addil But Additional Advocate General alongwith Khalid Gohar Deputy Director for the respondents present.

02. Called several times, till last hours of the court but nobody turned up on behalf of the appellant. The appeal is, therefore, dismissed in default. Consign.

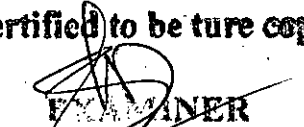
03. Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 31<sup>st</sup> day of October, 2022.

  
(Fareeha Paul)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman

**Certified to be true copy**

Date of Presentation of Application 02/03/2023  
Number of Words page 2  
Copying Fee 10/-  
Urgent 5/-  
Total 15/-  
Name of Copyist \_\_\_\_\_  
Date of Completion of Copy 02/03/2023  
Date of Delivery of Copy 02/03/2023

  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar