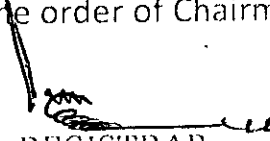


## FORM OF ORDER SHEET

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

Restoration Application No.

182/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1.	21.03.2023	<p>The application for restoration of Appeal no. 1762/2022 submitted today by Mr. Mir Zaman Safi Advocate. It is fixed for hearing before touring Division 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>

SCANNED  
KPST  
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

Restoration Appli. no. 182/2023

C.M. No. \_\_\_\_\_/2023

IN

APPEAL ON. 1762/2022

Khyber Pakhtunkhwa  
Service Tribunal

Diary No.

4483

Date

21/3/2023

BASHIR AHMED

V/S

POLICE DEPTT:

**INDEX**

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of application	.....	1.
2.	Affidavit	.....	2.
3.	Order/judgment	A	3- 4.

APPELLANT

THROUGH:

MIR ZAMAN SAEI  
ADVOCATE

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

**PESHAWAR**

*Restoration Appli. no. 182/2023*

C.M. No. \_\_\_\_\_/2023

IN

APPEAL ON. 1762/2022

**BASHIR AHMED**

**V/S**

**POLICE DEPTT:**

**APPLICATION FOR RESTORATION OF THE ABOVE  
MENTIONED APPEAL**

**R/SHEWETH:**

- 1- That, the above mentioned appeal was pending adjudication before this Honorable Tribunal in which 07-03-2023 date was fixed for hearing.
- 2- That appellant filed the above mentioned appeal against the impugned order dated 18.05.2015 whereby penalty of forfeiture of two years approved service has been imposed upon the appellant.
- 3- That the above mentioned service appeal was fixed for hearing on 07.03.2023 before this august Tribunal at Swat Bench for Arguments but Counsel for the appellant was busy at the Principle Bench of this august Service at Peshawar due to which he could not appear before this august Court on the same date.
- 4- That due to non appearance of the Counsel for appellant the above mentioned appeal has been dismissed in default vide order dated 07.03.2023. **Copy of the order sheet is attached.**
- 5- That non-appearance of the appellant and Counsel for the appellant was neither deliberate nor intentionally but caused due to the above mentioned reason.

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

Dated: 21-03-2023.

APPELLANT

THROUGH:

*M. Zaman Safi*  
MIR ZAMAN SAFI  
ADVOCATE

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

C.M. No. \_\_\_\_\_/2023

IN

APPEAL ON. 1762/2022


**BASHIR AHMED**

**V/S**

**POLICE DEPTT:**

**AFFIDAVIT**

I Mir Zaman Safi Advocate, High Court, do hereby solemnly affirm that the contents of this **application for restoration** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.

  
MIR ZAMAN SAFI  
ADVOCATE

**ATTESTED**

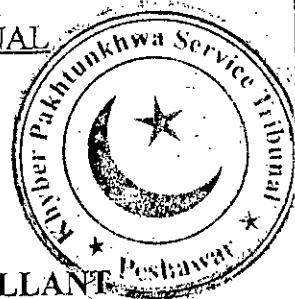


21/3/23

A-3

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR

APPEAL NO. 1762 /2022



Mr. Bashir Ahmed, Ex-Constable No.1093,  
Police Line, Dir-Lower at Timergara.....APPELLANT

**VERSUS**

1. The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. The Regional Police Officer, Malakand Region at Saidu Sharif Swat.
3. The District Police Officer, District Dir Lower.
4. The District Account officer, District Lower Dir.

.....RESPONDENTS

APPEAL UNDER SECTION-4 OF THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974  
AGAINST THE IMPUGNED ORDER DATED 18.05.2015  
COMMUNICATED TO THE APPELLANT ON 25.07.2022  
DURING THE COURT PROCEEDINGS IN APPEAL NO.  
889/2018 WHEREBY MINOR PUNISHMENT OF  
FORFEITURE OF TWO YEARS APPROVED SERVICE AND  
ONE ANNUAL INCREMENT HAS BEEN AWARDED TO  
THE APPELLANT AND AGAINST NO ACTION TAKEN ON  
THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN  
THE STATUTORY PERIOD OF NINETY DAYS.

**PRAYER:**

That on acceptance of this appeal the impugned order dated 10.01.2018 may very kindly be set aside and forfeited service of two years may very kindly be restored with all back benefits, and the annual increment which has been stopped by the department may also be released w.c.f the date of withholding. Any other relief which this August Tribunal deems appropriate that may also be granted in favor of Appellant.

**R/SHEWETH:**

**ON FACTS:**

- 1) That the appellant was appointed as Constable in the respondent department and has served the respondent Department for quite considerable time quite efficiently and up to the entire satisfaction of his superiors.
- 2) That while posted at Police Station Haya Seri District Lower Dir had become ill and due to that reason, the appellant visited the District Headquarters Hospital Timergra for treatment. That after proper checkup the Doctor concerned advised complete bed rest to the appellant and on the

ATTESTED

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

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**"Bashir Ahmad Vs. Police Department"**

07.03.2023

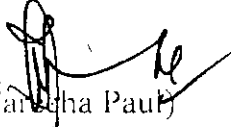
Nemo for appellant.

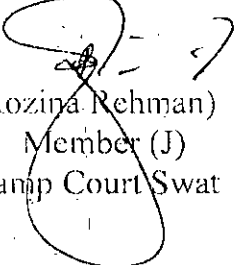
Umair Azam learned Additional Advocate General alongwith Zahir Shah S.I for respondents present.

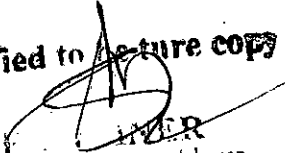
Case was called time and again but none appeared on behalf of appellant till rising of the Bench. As such the instant service appeal stands dismissed in default for non-prosecution. No order as to costs. File be consigned to the record room.

Announced

07.03.2023

  
(Farzana Paul)  
Member (E)  
Camp Court Swat

  
(Rozina Rehman)  
Member (J)  
Camp Court Swat

**Certified to be true copy**  
  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

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