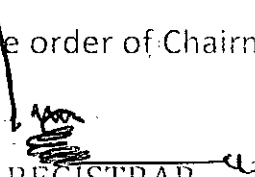


FORM OF ORDER SHEET

Court of _____

Restoration Application No. _____

198 /2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	29.03.2023	<p>The application for restoration of Appeal no. 1437/2018 submitted today by him. It is fixed for hearing before touring Division Bench at A.Abad on _____</p> <p>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 SERVICE TRIBUNAL,
PESHAWAR

Restoration Application no. 198/2023

C.M. No. _____/2023

In

Service Appeal No.1437/2018

Aurangzeb.....**Appellant**

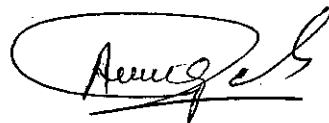
V E R S U S

The Secretary, Govt. of Khyber Pakhtunkhwa through
Secretary C&W Department & 2 others.....**Respondents**

I N D E X

S.No	Description of Documents	Annex	Pages
1.	Application for Restoration		1-2
2.	Affidavit		3
3.	Copy of Cause List	"A"	4
4.	Copy of Order sheet dated 23.02.2023	"B"	5-7

Appellant in person



Aurangzeb

Cell No.0344-9542046

0310-5579115

Dated 29.03.2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Restoration Application no. 198/2023
C.M. No. _____/2023

In
Service Appeal No.1437/2018

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 4623

Dated 29/3/2023

Aurangzeb.....**Appellant**

V E R S U S

The Secretary, Govt. of Khyber Pakhtunkhwa through
Secretary C&W Department & 2 others.....**Respondents**

**APPLICATION FOR RESTORATION OF THE
INSTANT APPEAL WHICH WAS DISMISSED
IN DEFAULT ON 23.02.2023**

Respectfully Sheweth:-


1. That the appellant has filed the instant appeal for granting Senior Scale BS-16 under 25% quota in this Hon'ble Tribunal.
2. That the instant appeal filed before this Hon'ble Tribunal on 24.11.2022 at principle seat at Peshawar, but as the instant appeal has jurisdiction to camp court Abbottabad, therefore the instant appeal was transfer to camp court Abbottabad and filed on 23.01.2023 at camp court Abbottabad, which is

evident from cause list dated 24.11.2022. **(Copy of Cause List is attached as annexure "A")**).

3. That the appellant appeared before this Hon'ble Tribunal at camp court Abbottabad on 23.01.2023, however the case of the appellant was not fixed on 23.01.2023 at Camp Court Abbottabad and as similar nature appeal tilted as "M. Jameel Vs C&W" was fix on 23.01.2023 which was adjourned to 27.03.2023, therefore the appellant has also given 27.03.2023 in his case.
4. That the appellant on 27.03.2023 appeared before this Hon'ble Tribunal at camp court Abbottabad. However he was informed that his case was dismissed in default on 23.02.2023. **(Copy of Order sheet dated 23.02.2023 is attached as annexure "B")**).
5. That the instant appeal was dismissed in default due of wrong dates given to the appellant, therefore the appellant could not be punished for that and may kindly be restored his appeal to be decided on merit to meets to ends of justice.

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

Appellant in person

A handwritten signature in black ink, appearing to read 'Aurangzeb', enclosed within a hand-drawn oval.

Aurangzeb

Cell No.0344-9542046

0310-5579115

Dated 29.03.2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M. No. _____/2023

In

Service Appeal No.1437/2018

Aurangzeb.....**Appellant**

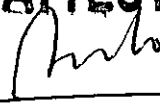
V E R S U S

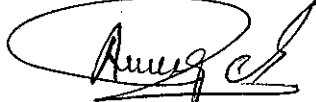
The Secretary, Govt. of Khyber Pakhtunkhwa through
Secretary C&W Department & 2 others.....**Respondents**

A F F I D A V I T

I, Aurangzeb Son of Nobat Khan, resident of Mohallah
Supply Mour, P.O Baffa Tehsil Baffa District Mansehra, do
hereby solemnly affirm and declare on oath that the
contents of the accompanying **Application** are true and
correct to the best of my knowledge and belief and
nothing has been concealed from this Hon'ble Court.

ATTESTED


29.03.2023
Mian Subghat Ullah Shah
Senior Advocate
Notary Public High Court
Peshawar



DEPONENT

Cell No. 0344-9542046

A 4

Dated: -24/11/2022

S. No.	/Name/Title No.	Department	Next Date	Status /Proceeding	Pleader
1	943/15 M. Arif	Police	13/01/2023		
2	727/16 Noor Rehman	Police	Dismissed in default		
3	816/16 Akhtar Ali	E&T	Remaned		
4	1437/18 Aurangzeb	C&W	23/01/2023		
5	157/19 Ashraf Ali	Police	13/01/2023		
6	158/19 Juma Gul	Police	13/01/2023		
7	2037/20 M. Ali Jan	Revenue	13/01/2023		
8	5873/20 S. Mohammad Jan	Edu	13/01/2023		
9	6130/20 Hidayat ur Rehman	Edu	Accepted		
10	12173/20 Abdul Wahab	Irrig.	29/01/2023		
11	15090/20 Sumbal	Edu	13/01/2023		
12	15184/20 Umar Farooq	Edu	Dismissed		
13	16435/20 Rukhsana Hayat	Edu	Accepted		
14	16436/20 Sajid Ali	Revenue	13/01/2023		
15	82/21 (12/2) nadeem Khan	Police	Withdraw		

M. H. A. A. A.

Aurangzeb

B 5



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

Appeal No. 1437 /2018

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1687

Dated 28/11/2018

Aurangzeb, Sub Engineer,
C&W Division Mansehra.

APPELLANT

VERSUS

- 1- The Secretary, Government of Khyber Pakhtunkhwa through Secretary C&W, Civil Secretariat, Peshawar.
- 2- The Chief Engineer, C&W Khyber Pakhtunkhwa, Peshawar.
- 3- The Secretary, Government of Khyber Pakhtunkhwa, Finance Department, Civil Secretariat, Peshawar.

RESPONDENTS

.....
APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT, 1974 FOR GRANTING SENIOR SCALE BPS-16 UNDER 25% QUOTA TO THE APPELLANT FROM DUE DATE FOR HAVING 10 YEARS SERVICE AND ALSO PASSED B GRADE EXAM AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

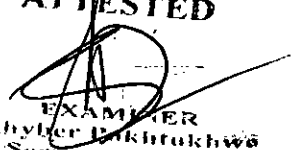
Filed to-day

Registrar

28/11/18 . PRAYER:

THAT ON ACCEPTANCE OF THIS APPEAL, THE RESPONDENT DEPTT: MAY BE DIRECTED TO GRANT SENIOR SCALE BPS-16 UNDER 25% QUOTA TO THE APPELLANT FROM DUE DATE FOR HAVING 10 YEARS SERVICE AND PASSED B GRADE EXAM WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT THAT MAY ALSO BE GRANTED IN FAVOUR OF APPELLANT.

.....
ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar


22.07.2022


Learned counsel for appellant present.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General for respondents present.

Former made a request for adjournment as he has not prepared the brief. Adjourned. To come up for arguments on 28.09.2022 before D.B.





(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member (J)

28.09.2022

Appellant present through counsel. Naseer Ud Din Shah, learned Assistant Advocate General for respondents present.

Former requested for adjournment as he has not prepared the case. Adjourned. To come up for arguments on 24.11.2022 before D.B


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)

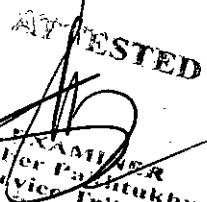
24.11.2022


Appellant alongwith counsel present.

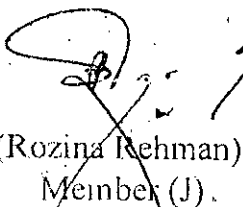
Kabir Ullah Khattak learned Additional Advocate General for respondents present.

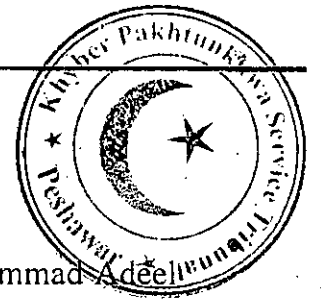
Former requested for adjournment in order to further prepare the brief. This appeal belongs to territorial jurisdiction of Hazara Division and it would be proper to fix the appeal at camp court. This appeal be put up before the Worthy Chairman for appropriate order.

SCANNED
KIST
Peshawar

ATTESTED

EXAMINER
Khylar Pakhtunkhwa
Service Tribunal
Peshawar


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)



23rd Feb, 2023

None present on behalf of the appellant. Mr. Muhammad Adeel

Butt, Additional Advocate General for the respondents present.

2. Today nobody put appearance on behalf of the appellant despite repeated calls at different intervals till rising of the court, therefore, the instant appeal is dismissed in default. Consign.

3. Pronounced in open court in Abbottabad and given under our hands and seal of the Tribunal on this 23rd day of February, 2023.

(Salah Ud Din)
Member (Judicial)
Camp Court Abbottabad

(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

Certified to be true copy
WINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 29-03-2023
Number of Words Page 3
Copying Fee 15/-
Urgent 5/-
Total 20/-
Name of Copy -
Date of Completion of Copy 29-03-2023
Date of Delivery of Copy 29-03-2023