


FORM OF ORDER SHEET

Court of _____

Restoration Application No. 225/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	04.04.2023	<p>The application for restoration of Appeal no. 7204/2021 submitted today by Mr. Amaad Nasir Kundi Advocate. It is fixed for hearing before Division Bench at Peshawar on .Original file be requisitioned.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The misc application of Mr. Gul Zaman received today i.e. 31.3.2023 is incomplete on the following scores which is returned to the counsel for the applicant for completion and resubmission within 10 days.

- 1- Application is not in proper format.
- 2- Addresses of parties are not given in the heading page of the application.
- 3- Spare copies/sets for respondents have not been provided.

Only Three
copies

No. 1059 /S.T.

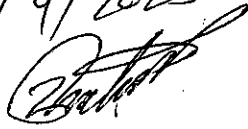
Dt. 03-04 /2023.

REGISTRAR
KHYBER PAKHTUNKWA
SERVICE TRIBUNAL
PESHAWAR

Mr. Amaad Nasir Kundi Adv.
High Court Peshawar.

R/S.

All the above objection were
clear and after that the
Appel is Re-Sumitted.

4/4/2023


BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL, PESHAWAR

Restoration Appli. no. 225/2023

Gul Zaman

..... Appellant/ Applicant

VERSUS

Government of KPK through Chief Secretary and 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 Order dated 27.03.2023	A	4-6
4.	Copy of Cause List	B	7

Applicant/Appellant

Through

Amaad Nasir Kundi

Advocate, High Court,

Dated: 30.03.2023

①

BEFORE THE HONOURABLE KHYBER PAKHTUN KHEWA
SERVICE TRIBUNAL PESHAWAR

Restoration Appli. No. 225/2023

Gul Zaman S/O Muhammad Doran R/O Mullazai Tehsil & District
Tank Ex- Family Welfare Assistant (M)BPS-7 Family Welfare Centre
Mullazai Tehsil and District Tank

VERSUS

1. Government of KPK through Chief secretary Civil Secretariat Peshawar
2. Secretary to Ministry of population welfare Civil Secretariat Peshawar.
3. Director General Directorate General of Population Welfare Department Plot #18 Sector E-8 Phase-7 Hayatabad Peshawar.
4. Director Human Resources Directorate General of Population Welfare Department Plot # 18 Sector E-8 Phase-7 Hayatabad Peshawar.
5. Departmental Promotion committee Directorate General of Population Welfare Department Plot # 18 Sect: E-8 Phase 7 Hayatabad Peshawar.
6. Nazir Ahmad Family welfare Assistant Male District Population Office Abbottabad.
7. Afzal Khan Family welfare Assistant Male District Population Office Kohistan.
8. Niaz Ali Family welfare Assistant Male District Population Office Mardan.
9. Waqif Khan Family welfare Assistant Male District Population Office Mardan.
10. Mukhtiar Muhammad Family welfare Assistant Male District Population Office Charsadda.

Note: Addresses of the respondents No. 6 to 10 are given as per record other wise may be served through Res' No. 7, If changed after promotion and posted anywhere else.

APPLICATION FOR RESTORATION OF ABOVE
TITLED CASE WHICH WAS DISMISSED IN DEFAULT
VIDE ORDER DATED 27-03-2023.

2

APPEAL U/S 4 OF THE PROVINCIAL SERVICE
TRIBUNAL ACT 1974.

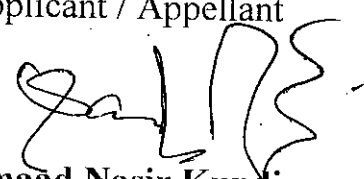
Respectfully Sheweth:

1. That the above titled case was pending before this Hon'ble Tribunal, which was dismissed in default vide order dated 27-03-2023. **(Copy of Order dated 27-03-2023 is attached)**
2. That the learned Counsel for the applicant / appellant was busy in federal service tribunal, Islamabad in other cases due to which the above titled appeal was dismissed in default. **(Copy of the cause list is attached)**
3. That the absence of the appellant's counsel was not intentionally, deliberately but due to above stated reasons.
4. That the applicant is well within time and valuable rights of the applicant / appellant are involved in the instant case.
5. That law always favour adjudication of cases on merits and mere technicalities are always be deprecated.

It is therefore, humbly prayed that on acceptance of this application above titled case may kindly be restored.

Applicant / Appellant

Through


Aamad Nasir Kundi
Advocate High Court

Dated 30.03.2023

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

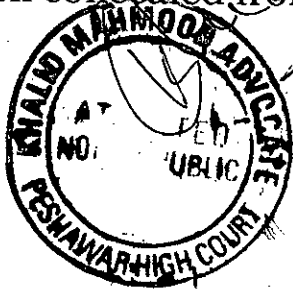
Gul Zaman Appellant/ Applicant

VERSUS

Government of KPK through Chief Secretary and others
..... Respondents

AFFIDAVIT

I, Amaad Nasir Kundi, Advocate Peshawar High Court, Peshawar do hereby solemnly affirm and declare that the contents of the **Application for Restoration** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



[Handwritten Signature]
Advocate

① Annex "A" ④

BEFORE THE KHYBER PAKHTUN KHEWA SERVICE
TRIBUNAL PESHAWAR

Service Appeal No. 7204/2021



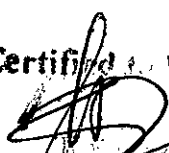
Gul Zaman S/O Muhammad Doran R/O Mullazai Tehsil & District Tank Ex-
Family Welfare Assistant (M)BPS-7 Family Welfare Centre Mullazai
Tehsil and District Tank

VERSUS

- 1) Government of KPK through Chief secretary Civil Secretariat Peshawar
- 2) Secretary to Ministry of population welfare Civil Secretariat Peshawar
- 3) Director General Directorate General of Population Welfare Department
Plot # 18 Sector E-8 Phase - 7 Hayatabad Peshawar
- 4) Director Human Resources Directorate General of Population Welfare
Department Plot # 18 Sector E-8 Phase-7 Hayatabad Peshawar
- 5) Departmental Promotion committee Directorate General of Population
Welfare Department Plot # 18 Sect: E-8 Phase - 7 Hayatabad Peshawar
- 6) Nazir Ahmad Family welfare Assistant Male District Population Office
Abbott Abad.
- 7) Afzal Khan Family welfare Assistant Male District Population Office
Kohistan
- 8) Niaz Ali Family welfare Assistant Male District Population Office Mardan
- 9) Waqif Khan Family welfare Assistant Male District Population Office
Mardan
- 10) Mukhtiar Muhammad Family welfare Assistant Male District Population
Office Chasada.

Note:- Addresses of Respondents No-6 to 10 are given as per record other
wise may be served through Res' No-7 if changed after promotion
and posted anywhere else

Certified to be true copy


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

(4) (5)

APPEAL U/S-4 OF PROVINCIAL SERVICE TRIBUNAL ACT 1974
AGAINST THE OFFICE ORDER NO. F. NO 4(5)
/2020/HR/Admn DTD 07/04/2021 ISSUED BY RESPONDENT
NO.3 WHERE RESPONDENT HAD ILLEGALLY DROPE
APPELLANT & PROMOTED RESPONDENTS NO-6 TO 10 BY
PREPARING SELF MADE AND SO CALLED NEW SENIORITY
LIST WHERE APPELLANT WAS PLACE AT SERIAL NO - 370
INSTAEAD OF SERIAL NO - 2 OF JOINT SEORITY LIST
FOR BPS-7 OF POPULATION WELFARE DEPARTMENT KPK

*PRAYER:- ON ACCEPTANCE OF THE APPEAL THE IMPUGNED
OFFICE ORDER NO. F. NO 4(5)/2020/HR/Admn DTD
07/04/2021 ISSUED BY RESPONDENT NO-3 MAY
GRACIOUSLY BE SET ASIDE AND APPELLANT MAY
BE PROMOTTED TO BPS- 14 WITH ALL BACK
BENEFIT AND OTHER ENTITLEMENT ACCORDING
TO LAW*

Respectfully Sheweth :-

Short facts giving rise to present appeal are as under:-

1:- That appellant joined the service as TURNER in BPS-5 in
Agriculture Department the then N.W.F.P Peshawar in 1990 vide initial
appointment order # 1355-59/AE/TAP dated 25/03/1990 and joined
the duties with in stipulated period in the office of Assistant Agriculture
Engineer Tribal Area Tank. Copy of Appointment Order numbered above
is enclosed as Annexure "A"

2:- That the Appellant was regularized after completion of
probation period being having good conduct and duty full employee during
service in Agricultural department KPK the then NWFP at Tank.

Signature

Certified to be true copy
TURNER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

27th Mar, 2023

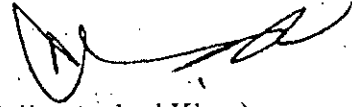
1. Nobody is present on behalf of the appellant. Mr. Muhammad Jan, District Attorney for respondents present.

2. Called several times till last hours of the court but nobody turned up on behalf of the appellant. In view of the above, the instant appeal is dismissed in default. Consign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 27th day of March, 2023.*




(Salah Ud Din)
Member (Judicial)



(Kalim Arshad Khan)
Chairman

Date of Presentation of Application 28/03/2023
Number of ~~Words~~ Page 3
Copying Fee 15/-
Urgent
Total 15/-
Name of Copyist
Date of Completion of Copy 30/3/2023
Date of Delivery of Copy 30/3/2023

Certified to be true copy

Khalid A. KHAN
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

FEDERAL SERVICE TRIBUNAL, ISLAMABAD.

CAUSE LIST-27.03.2023 MONDAY

COURT-II BEFORE: DR.MUHAMMAD HASHIM POPALZAI AND DR.MUJEEB-UR-RAHMAN KHAN, MEMBERS.

S.No	Name of Appellant	Versus	Appeal No.	Nature	Counsel for appellant	Counsel for respondent	Objections
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MISC.PETITION

1.	SirajMunir	AGPR	MP.No.890/2022 01(Q)CS/2022 Mp.No.473/2022, 841/2022	Amendment Premature retired	Manzoor Ahmed Rehmani		Filed on MP No.890/2022 R-1
2.	Tathir Fatima	M/o Education	MP.No.79/2023 877(R)CS/2022 With mp.1119/2022	Suspension of operation	SyedaRida-e-Batool		Not filed

PRELIMINARY HEARING

3.	Jahanzaib Khetran	DG ANF	180(R)CS/2023	ACR/PER	Muhammad Shabbir Bhutta		New appeal
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PRE-ADMISSION HEARING

4.	Raza Muhammad	Pakistan Railways	22(P)CS/2022 M.P No.162/2022	Acting charge promotion / Suspension of Orders	Misbahullah khan	Ms.Huma Noreen Hassan	Not filed
5.	Jan Bahadar	Frontier Constabulary	34(P)CS/2022	Dismissal from service	Amaad Nasir Kundi		Filed
6.	Sadiq Amin Khan	D.G I.B	62(P)CS/2022 MP.No.453/2022	Removal from service	Aamad Nasir Kundi		Not filed
7.	Noorani Khan	DG I.B	63(P)CS/2022	Reduction to lower rank	Amaad Nasir Kundi		Not filed
8.	Muhammad Tariq	GHQ	99(R)CS/2022	Promotion	Muhammad Ramzan Khan		Filed
9.	JavedRastan	Secy. M/o Defence	484(R)CS/2022	Termination from service	Khuram Shahzad		Not filed
10.	Syed Sammar Abbas Kazami	Federal Ombudsman	560(R)CS/2022	Dismissal from service	Ghulam Farooq Awan		Not filed
11.	Muhammad FarhadAbbasi	GHQ	819(R)CS/2022	Dismissal from service	Ch.Bilal Ahmed and Sanaullah khan		Not filed
12.	Abdul Rehman Shahid	Prime Minister Secretariat	1187(R)CS/2022	Proforma Promotion	Muhammad Anwar Mughal		Filed R 1 &2
13.	Muhammad Saddique ur Rehman	Secy. m/o interior	04(R)CS/2023	Hiring of Private accommodation	Sajjad Zafar		Not filed
14.	Muhammad Imran Mehboob	POF	21(R)CS/2023 With mp 56/2023	Removal from service	Ch.Shahid Anwar Warraich		Not filed
15.	Abdul Khaliq	Secy. M/o Privatization	101(R)CS/2023	Seniority	Saeed Raza		Not filed

FOR FILING OF OBJECTIONS

16.	Anwar Ali Khan	Pakistan Railways	72(P)CS2021	Promotion	Muhammad Ramzan Khan	Amaad Nasir Kundi R-3	Filed R-1,2,3
17.	Muhammad Ayub	Planning Division	1191(R)CS/2021	Payment of pension at the rate of 100%	Muhammad ShabbirBhutta		Filed R-1,2,3