

9.11.22

Since 9th November 2022 has been declared as Public Holiday, therefore the case is adjourned to 23.12.22 for the same.




23.12.2022


Nemo for the parties.

Naseer Ud Din Shah learned Assistant Advocate General is present.

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Preceding date was adjourned on Reader Note, therefore, both the parties be put on notice for the date fixed. To come up for arguments on 22.03.2023 before D.B.


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)


22.03.2023

Learned counsel for appellant present.

Mr. Fazal Shah Mohmand, Additional Advocate General for respondents present.

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Learned Member Judicial (Mrs. Rozina Rehman) is on leave, therefore, case is adjourned to 07.06.2023 for arguments before D.B. Parcha Peshi given to the parties.


(Muhammad Akbar Khan)
Member (E)

11.08.2021

Nemo for petitioner.

Asif Masood Ali Shah learned Deputy District Attorney for respondents present.

Preceding date was adjourned on a Reader's note, therefore, petitioner/counsel be put on notice for 28.10.2021 for arguments before D.B.



(Rozina Rehman)
Member (J)

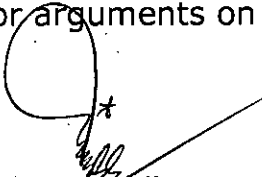


Chairman

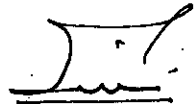
28.10.2021

Nemo for the petitioner. Mr. Javed Ullah, Assistant Advocate General for the respondents present.

Notice be issued to petitioner as well as his counsel and to come up for arguments on 24.02.2022 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

24.2.22

*Due to retirement of worthy Chairman,
The case is adjourned to 1-6-22 for hearing.*



01.06.2022

Counsel for the petitioner present.

Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Former made a request for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 09.08.2022 before D.B.



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member (J)

9.8.22 Due to the public holiday the case is adjourned to 9-11-22

19.08.2020

Due to summer vacations, the case is adjourned to 21.10.2020 for the same.


Reader

21.10.2020

Junior to counsel for the ^{Petitioner} and Addl. AG for the respondents present.

The Bar is observing general strike today, therefore, the matter is adjourned to 12.01.2021 for hearing before the D.B.

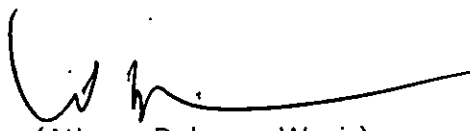

(Mian Muhammad)
Member


Chairman

12.01.2021

Counsel for the petitioner and Addl. AG for the respondents present.

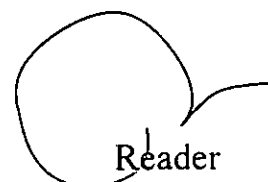
Former requests for adjournment in order to contact the petitioner and seek fresh instructions from her. Adjourned to 19.04.2021 for further proceedings before the D.B.


(Atiq-ur-Rehman Wazir)
Member(E)


Chairman

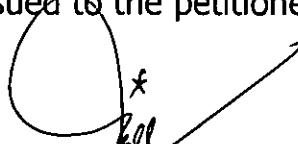
19.04.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 11.08.2021 for the same as before.


Reader

17.02.2020

None for the petitioner present. Asst: AG alongwith Mr. Fazal Subhan, SO for respondents no. 1 and Mr. Muhammad Irfan, Assistant for respondent no. 2 present. Reply on restoration application not submitted. Learned Asst: AG seeks time to submit the same. Adjourned. To come up for reply on application for restoration of appeal on 10.03.2020 before D.B. Notice be also issued to the petitioner and his counsel


Member


Member

10.03.2020


Nemo for the petitioner. Mr. Zia Ullah learned Deputy District Attorney present and submitted reply. Adjourn. To come up for further proceedings/arguments on 14.05.2020 before D.B. Petitioner be put to notice for the date fixed.


Member


Member

30.04.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 19.08.2020 before D.B.



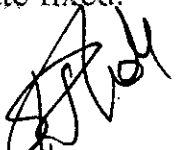
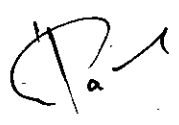

Reader

Form-A

FORM OF ORDER SHEET

Court of _____

Appeal's Restoration Application No. 363/2019

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
<p>1</p> <p>2</p>	<p>27.09.2019</p>	<p>The application for restoration of appeal No. 1038/2014 submitted by Mr. Ibad-ur-Rehman Advocate, may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;">  REGISTRAR 27/9/19 </p> <p>This restoration application is entrusted to D. Bench to be put up there on <u>12-12-2019</u></p> <p style="text-align: right;">  CHAIRMAN </p>
<p>12.12.2019</p>		<p>Lawyers are on strike on the call of Khyber Pakhtunkhwa Bar Council. Adjourn. To come up for further proceedings/arguments on 13 02.2020 before D.B. Respondents as well as representative of respondent No.3 namely Arshad Ali ADO be put to notice for the date fixed.</p> <p style="text-align: right;">  Member </p> <p style="text-align: right;">  Member </p>

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Peshawar

BEFORE THE HONOURABLE KP SERVICE TRIBUNAL PESHAWAR

Restoration Application No. 363/2019 C.M No. _____/2019
IN

Service Appeal No. 1038 /2014

Talat Farid , PST Applicant/Appellant
Versus
Secretary, Elementary & Others..... Respondents

I N D E X

S.No	Description of document	Annex:	P.No
1.	Application with Affidavit		1
2.	Order dated:30.8.2019	A	2
3.	<i>Medical clint</i>	B	3



IBADUR RAHMAN
Advocate High Court
127-Sarhad Mansion
Hashtnagri, GT Road
Peshawar.
Cell# 0300-5932939

Dated. 27/09/2019

BEFORE THE HONOURABLE KP SERVICE TRIBUNAL PESHAWAR

Restoration Application no. 363/2019 / C.M No. _____ /2019
IN

Service Appeal No. 1038 /2014

Talat Farid , PST Applicant/Appellant

Versus

Secretary, Elementary & Others..... Respondents




APPLICATION FOR RESTORATION OF APPEAL

Respectfully sheweth:

Applicant submits as under:

1. That the above titled appeal No. 1038/2014 was fixed on 30.08.2019 before this honourable Tribunal.
2. That on the date fixed wife of the appellant filled ill and the appellant accompanied her to the hospital whereas counsel of the appellant suddenly left the court premises to attend a Janaza of one of his family friend, therefore when the appeal was called none was there to appear before the court and the appeal was dismissed in default.
3. That the absence of the appellant was not intentional but due to un avoidable circumstances.
4. That there are precious interest of the appellant are involved in the matter.
5. That there is no legal bar to restore the appeal of the appellant.

It is, therefore, humbly prayed that the appeal may kindly be restored.


Applicant/Appellant

Through:

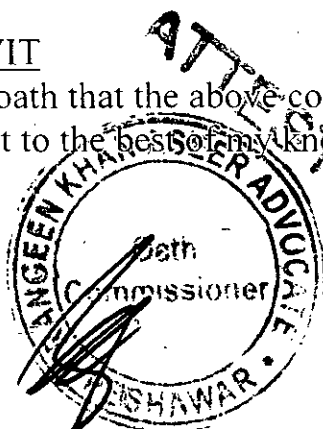

IBADUR RAHMAN
Advocate, Peshawar

Dated: 27/09/2019

AFFIDAVIT

Stated on oath that the above contents are true and correct to the best of my knowledge and belief.


Deponent



27/09/19

①

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.



Amended Appeal No. 1038

/2014

Talat Farid s/o Masood Pervez, PST, Government Primary
School Fazal Abad, Gul Bahar Peshaar.

Appellant

A.W.P. Province
Service Tribunal

Diary No 910

Dated 30/7/2015

Versus

- 1- Secretary to Government, Elementary & Secondary Education,
Peshawar.
- 2- Director, Elementary & Secondary Education, Peshawar.
- 3- District Education Officer, District Peshawar.

Respondents

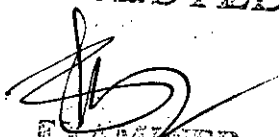
AMENDED APPEAL U/S 4 OF KHYBER
PAKHTUNWA SERVICE TRIBUNAL ACT, 1974,
AGAINST THE CONDUCT/REFUSAL OF THE
RESPONDENTS DECLINING THE
UPGRADATION/PROMOTION TO THE
APPELLANT, AGAINST WHICH THE APPELLANT
FILED DEPARTMENTAL APPEAL BUT AFTER THE
LAPSE OF STATUTORY PERIOD, THE SAME HAS
NOT BEEN DECIDED.

Respectfully sheweth,

Appellant submits as under :-

- 1- That being fully qualified, the appellant was appointed as Primary
School Teacher vide order dated 29-11-1990 and took over the
charge on 01-12-1990. (Copies attached as Annex: A & B).
- 2- That since then the appellant performed his duties at different
schools.
- 3- That during all this period the performance of the appellant
remained excellent and on most of the occasions, the performance
of the appellant were duly acknowledged. (Kindly peruse
Annex:C).

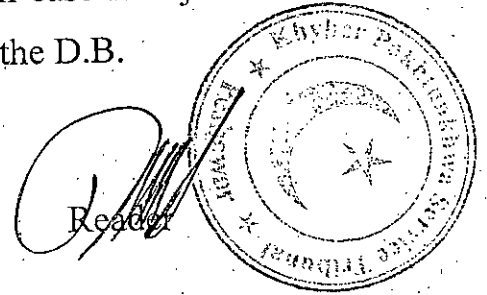
ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Appeal No. 1038/2014
Talat Farid vs Govt

27.06.2019

Counsel for the appellant and Muhammad Jan, DDA alongwith Sajid, ADEO for the respondents present. Due to incomplete bench case is adjourned to 30.08.2019 for arguments before the D.B.



30.08.2019

None for the appellant present. Mr. Ziaullah, DDA for respondents present. Called for several times but no one appeared on behalf of the appellant, therefore, the appeal in hand is hereby dismissed in default. No order as to costs. File be consigned to the record room.

Announced:
30.08.2019

(Ahmad Hassan)
Member

(M. Hamid Mughal)
Member

Certified to be true copy
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 02-09-19
Number of Words 4800
Copying Fee 48-00
Urgent _____
Total 48-00
Name of Copyist [Signature]
Date of Completion of Copy 25-09-19
Date of Delivery of Copy 25-09-19

Lady Reading Hospital, MTI Peshawar
Lady Reading Hospital, MTI Peshawar. Phone: 091-9211430, Fax:
Email: info@lrh.gov.pk, Website: www.lrh.gov.pk



INVOICE

Order No:192391388

Inv Date:30-AUG-19 08:36 AM

Inv No:K02192580332

Access code :

SRNO:00003712165

Patient Type : REGULAR

WIFE OF *Talat Farid*

Item Description

Qty Rate Amount

ECHO

1 600 600

Total Amount 600.00

Charge to Hospital (Free) ~~600.00~~

Attested
[Signature]

Before the High Court of Sindh Service Tribunal
Peshawar

Talat Farid vs Govt.

Reply to application for
restoration

Respectfully Shereh,

- ① Para need no comments
- ② Para incorrect. The appellant deliberately failed to attend the Honorable Tribunal on the date fixed.
- ③ incorrect. the appellant willfully

failed to attend the honorable
Tribunal on the date fixed

⑥ Incorrect. Valuable rights of the
respondents are also involved in
the subject matter. If the appeal is
permitted, the respondent will
suffer irreparable loss.

⑦ Incorrect. The application is
barred by time and no justification
of delay has been shown.

It is requested that the
application may very kindly be
dismissed
Respectfully
Yours
A. A. G. Chatterjee