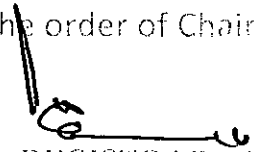


FORM OF ORDER SHEET

Court of _____

Restoration Application No.

262/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	20.04.2023	<p>The application for restoration of Appeal no. 9617/2020 submitted today by Mr. Asad Mahmood 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>

BEFORE KP SERVICE TRIBUNAL, PESHAWAR

Restoration Application # 262/2023

APPEAL NO. 9617/2020

Humayun Khan, Sub-Inspector, MR/30, R/O village Kalu Khan, Tehsil Razar, District Swabi.

.....Appellant

Versus

1. The Inspector General of Police, Police Lines, Peshawar.
2. Capital City Police Officer, Police Lines, Secretariat Road, Peshawar.
3. Senior Superintendent of Police, Operations, Police Lines, Peshawar.

.....Respondents

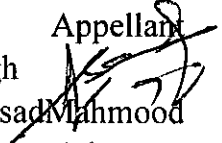
APPLICATION FOR RESTORATION OF APPEAL
DISMISSED IN DEFAULT

Respectfully Sheweth,

Applicant humbly submits as under.

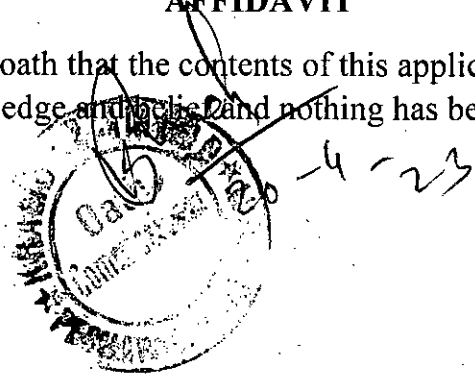
1. The instant appeal has been a pending adjudication before this hon'ble Tribunal which was fixed for hearing on 10th April, 2023.
2. The counsel for appellant was communicated a wrong date of hearing i.e. 17th April, 2023 and counsel of appellant was under impression that the instant appeal would be fixed for arguments on 17th April, 2023. Hence, neither the appellant and nor his counsel could make their appearance before this hon'ble Tribunal on the date fixed and it was dismissed in default.
3. On 17th April, 2023 when counsel came to the Tribunal with intention to argue the case, he apprised and surprised by reader of the court that the instant appeal was fixed for arguments on 10th April instead of 17th April, 2023 and dismissed in default.
4. The counsel for appellant submitted an application for an attested copy of the order on the very same day i.e. 17th April, 2023.
5. The non-appearance of appellant and his counsel was not intentional.

It is, therefore, most humbly prayed that the instant appeal may kindly be restored to its original position for the promotion of justice and the appellant may kindly be allowed to plead his appeal to save justice from being defeated.

Appellant
Through 
Asad Mahmood
Advocate

AFFIDAVIT

It is stated on oath that the contents of this application are true and correct to the best of my knowledge and belief and nothing has been concealed from this hon'ble Tribunal.




Deponent



BEFORE KHYBER PAKHTUNWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. 9617 /2020

Humayun Khan, Sub-Inspector MR/30, R/O Village Kalu Khan, Tehsil
Razar, District Swabi.

APPELLANT
Khyber Pakhtunkhwa
Service Tribunal

VERSUS

Diary No. 8230

Date 30/7/2020

1. The Inspector General of Police, Police lines, Opposite CM House, Khyber Pakhtunkhwa, Peshawar.
2. Capital City Police Officer, Police Lines, Secretariat Road, Peshawar, Khyber Pakhtunkhwa.
3. Senior Superintendent of Police, Operations, Police Lines, Secretariat Road, Peshawar, Khyber Pakhtunkhwa.


RESPONDENTS

APPEAL UNDER SECTION 4 OF KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974
AGAINST ORIGINAL ORDER DATED 8TH APRIL, 2020
WHEREBY APPELLANT IS AWARDED A PENALTY OF
"FORFEITURE OF ONE YEAR APPROVED SERVICE"
AND AGAINST APPELLATE ORDER DATED 1ST JULY,
2020 WHEREBY PENALTY IS UPHOLD BY APPELLATE
AUTHORITY DESPITE BEING EXONERATED FROM
ALLEGED CHARGES.

PRAYER:

ON ACCEPTANCE OF THIS APPEAL, THE IMPUGNED
ORDERS DATED 8TH APRIL, 2020 AND 1ST JULY, 2020
MAY KINDLY BE SET ASIDE AND PENALTY OF
"FORFEITURE OF ONE YEAR SERVICE" MAY ALSO BE
RESTORED IN FAVOUR OF APPELLANT TO MEET THE
ENDS OF JUSTICE.


ATTESTED

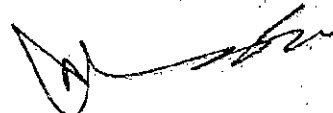

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Appeal No. 9617/2022
Humayun Khan vs Govt

10th April, 2023

1. Nobody is present on behalf of the appellant. Mr. Fazal Shah Mohmand, Additional Advocate General for the 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 at Peshawar and given under our hand and seal of the Tribunal on this 10th day of April, 2023.*


(Muhammad Akbar Khan)
Member (E)


(Kalim Arshad Khan)
Chairman

Date of Presentation of Application 17-04-2023
Number of Words Page 2
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