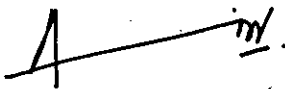


## FORM OF ORDER SHEET

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

Restoration Application No. \_\_\_\_\_

**310/2023**

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	17.05.2023	<p>The application for restoration of appeal 3493/2021 received today by registered post through Mr. Abdul Aziz Khan Tanoli Advocate. It is fixed for hearing before touring Division Bench at A.Abad on</p> <p>Original file be requisitioned.</p> <p>By the order of Chairman</p> <p> For REGISTRAR</p>

**BEFORE THE SERVICES TRIBUNAL, KHYBER**  
**PAKHTUNKHWA, PESHAWAR**

17-08-23

*Restoration appli. no. 310/2023*

CM NO. \_\_\_\_\_

Noshewan, S/O Noor Ul Hasan, Presently serving as SPST GPS, Tehsil and District Battagram

.....Petitioner

**VERSUS**

1. Government of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education, Peshawar.
2. Director, Elementary and Secondary Education, of Khyber Pakhtunkhwa, Peshawar
3. District Education Officer, Elementary and Secondary Education Male Primary, Battagram.
4. District Accounts Officer, Battagram.

.....Respondents

**APPLICATION FOR RESTORATION OF SERVICE APPEAL**  
**NO. 3493 / 2021**

Respectfully Sheweth,

The Appellant / Applicant named above submit this application praying to state as follow:-

1. That the title Service Appeal is pending before this Learned Services Tribunal.
2. That title Appeal was fixed for hearing on 22.02.2023 and the Appellant / Applicant along with his Counsel were present and next date of hearing was given to Applicant on 28.04.2023.
3. That the Appellant / Applicant and his Counsel were present in the Court of the Learned Services Tribunal on 28.04.2023, but were informed that the title Service Appeal was not in the Cause List.
4. That the date of hearing entered in the diary of Counsel of Appellant / Applicant was by error / by mistake marked as 28.04.2023, whereas the correct date for the hearing in the Court of Learned Services Tribunal was 28.03.2023.
5. That the Appellant / Applicant and his Counsel tried to get the information regarding the next hearing of his Service Appeal but failed to get the required details of his case and where instructed / informed to visit Services Tribunal Courts at Peshawar.
6. That the Appellant / Applicant and his Counsel after having visited Services Tribunal Court at Peshawar on 08.04.2023 came to know that the case of the Appellant / Applicant has been dismissed due to non – appearance.

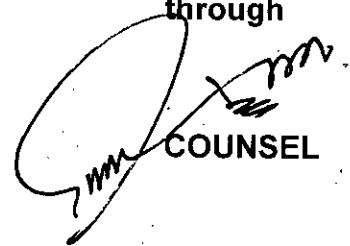
7. That the non-appearance of the Appellant / Applicant and his Counsel on date fixed was due to misconception of date of the hearing.
8. That valuable rights of applicant is involved in title appeal.

**PRAYER**

It is therefore, most respectfully and humbly prayed that this Application for Restoration of Services Appeal of the Appellant / Applicant may kindly be allowed, and the above Services Appeal may kindly be restored to its original position in the best interest of justice.

**APPLICANT**

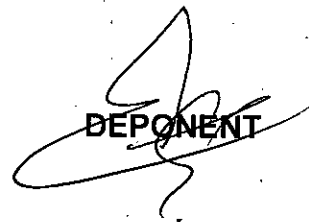
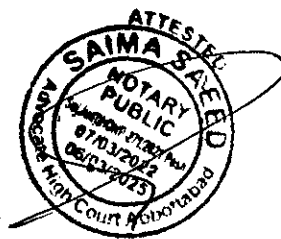
through



**COUNSEL**

**AFFIDAVIT.**

It is on oath stated that the contents of instant application are true and nothing has been concealed from this Honorable Court.



**DEPONENT**

16/05/23

①



**BEFORE THE SERVICES TRIBUNAL, KHYBER  
PAKHTUNKHWA, PESHAWAR**

Service Appeal No. 3493 / 2021

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 2943

Dated 18/2/2021

Nosherwan Son of noor ul hassan presently serving SPST GPS Tehsil and  
District Battagram

.....Petitioner

Versus

- 1 Government of Khyber Pakhtunkhwa, through secretary elementary and secondary education Peshawar.
- 2 Director, Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 3 District Education Officer elementary and secondary education male primary Battagram.
- 4 District Account Officer Battagram.

.....Respondents

Filed to-day  
[Signature]  
Registrar  
18/2/2021

SERVICE APPEAL UNDER SECTION-4 OF  
KHYBER PAKHTUNKHWA SERVICES  
TRIBUNAL ACT, 1974, THAT THE  
APPELLANT IS WORKING IN THE  
RESPONDENTS DEPARTMENT AND HIS  
SERVICES WERE TERMINATED ON  
28/07/1997. THEREAFTER UNDER THE  
KHYBER PAKHTUNKHWA ACT XVII 2012  
AND IN THE LIGHT OF JUDGEMNT PASSED  
BY PESHAWAR HIGH COURT ABBOTTABD  
BENCH DATED 17/01/2013 THE APPELLANT  
WAS APPOINTED AS PST IN BPS-12, VIDE  
ORDER DATED 15/2/2013 THE APPLANT IS  
ENTITLED FOR BACK BENEFITS FROM THE  
DATE OF TERMINATION I.E 28/07/1997 TO

Re-submitted to -day  
and filed.  
[Signature]  
Registrar  
10/3/2021

Certified to be true copy  
[Signature]  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar



28.03.2023

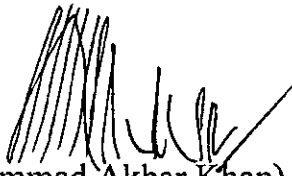
Nemo for the appellant. Mr. Asif Masood Ali Shah, Deputy

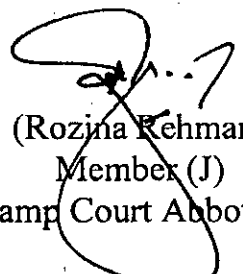
District Attorney for the respondents present.

The appeal in hand was called on for hearing after various intervals, however, neither the appellant nor anyone else appeared on his behalf till the closing time, therefore, the appeal in hand stands dismissed in default. No order as to costs. File be consigned to record room.

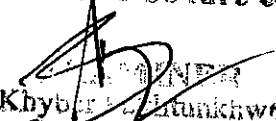
**ANNOUNCED**

28.03.2023

  
(Muhammad Akbar Khan)  
Member (E)  
Camp Court Abbottabad

  
(Rozina Rehman)  
Member (J)  
Camp Court Abbottabad

**Certified to be true copy**

  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Date of Presentation of Application 08-05-23  
Number of ~~words~~ pages 2  
Copying Fee 10/-  
Urgent 5/-  
Total 15/-  
Name of Copyist \_\_\_\_\_  
Date of Completion 08-05-23  
Date of Delivery of Copy 08-05-23

# وکالت نامہ

کوارٹ فیس

بعد ازاں \_\_\_\_\_ سر سید شہزاد خلیفہ خیر بگتوگرا، سندھ  
عنوان: \_\_\_\_\_ لٹریچر سوسائٹی، کراچی  
مخاطب: \_\_\_\_\_ ایڈمنسٹریٹو  
نوعیت مقدمہ:

## باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسے بیرونی وجوہات وہی کل کارروائی متعلقہ اس مقام  
\_\_\_\_\_ حیدر نسرت خان نسوتی ایڈووکیٹ بائیں کورٹ

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا مال اختیار ہوگا نیز وکیل صاحب  
موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ بر حلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء  
وصولی چیک روپیہ دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور  
کی کل یا کسی جزوی کارروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار  
بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پر داخلہ مجھ کو منظور و  
قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔  
نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف  
پابند ہوں گے کہ بیرونی مقدمہ مذکورہ کریں اور اگر تقرر مقرر کردہ میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف  
مقدمہ کی بیرونی کے پابند نہ ہوں گے۔ نیز درخواست مراد تجارت ناشر، بھینہ مقلسی کے دائرہ کرنے اور اس کے  
بیرونی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند ہو۔

05  
16/2023

الرقوم

مقام: ایس ایچ ایبڈ

0311-8775478