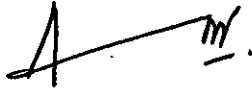


FORM OF ORDERSHEET

Court of _____

Misc. application No. 342/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	30/05/2023	<p>The Misc. application in appeal no. 1417/2022 submitted today by District Education Officer Shangla. It is fixed for hearing before touring Division Bench at Swat on 08.06.2023. Original file be requisitioned.</p> <p style="text-align: right;"> REGISTRAR</p>

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

SERVICE APPEAL NO. 1417/2022

MISC Application No. 342/2023

Darcy No. 5658

Dated 30/5/2023

Taj Muhammad Khan PST (Primary School Teacher) GPS Luchana, District Shangla

..... Appellant

Versus

1. The Secretary Elementary and Secondary Education Department Government of Khyber Pakhtunkhwa Peshawar.
2. The Director Elementary and Secondary Education Department Government of Khyber Pakhtunkhwa Peshawar.
3. The District Education Officer (M) District Shangla.

..... Respondents

order
APPLICATION FOR SET-ASIDE OF EX-PARTY/DATED 08-02-2023 IN THE ABOVE
TITLED CASE.

Respectfully Sheweth:-

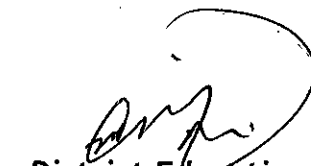
1. That the above mentioned appeal has been fixed before the Honourable Bench dated: 08-02-2023.
2. That the respondents didn't receive any notice the said title case that's why we couldn't come for attendance the Hon,ble Court.
3. That the learned bench Ex-party the appeal of the respondents in non-prosecution due to non-availability of the respondents and his counsel.
4. That the reply of the respondents has been are not submitted. Now submitted reply with the request restoration application.

It is therefore, requested that on acceptance of this restoration application, the appeal of the respondents may kindly be restored. Any other relief which this Honourable Bench deems fit and proper may also be awarded to the respondents.

Dated: 29-05-2023

Respondents

Through


District Education
Officer Shangla

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

SERVICE APPEAL NO.1417/2022

Taj Muhammad Khan PST (Primary School Teacher) GPS Luchana, District Shangla

.....Appellant

Versus

1. The Secretary Elementary and Secondary Education Department Government of Khyber Pakhtunkhwa Peshawar.
2. The Director Elementary and Secondary Education Department Government of Khyber Pakhtunkhwa Peshawar.
3. The District Education Officer (M) District Shangla.


.....Respondents

Affidavit

I, Mian Asif Ali Shah Assistant District Education Officer (M) BPS-17) O/O DEO(M) Shangla do hereby solemnly affirm and declare on oath that the contents of this Restoration Application is true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon,ble Court.

Dated: 29-05-2023

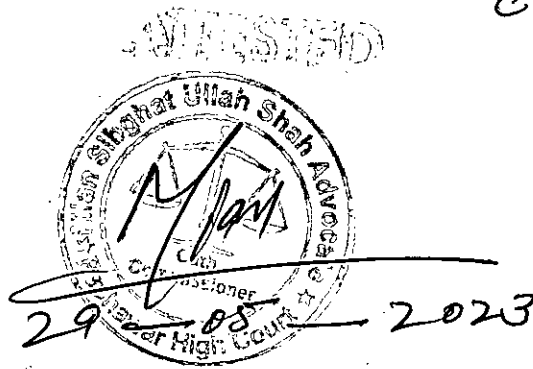
Deponent



Mian Asif Ali Shah S/O Jam Mia

ASSISTANT DISTRICT EDUCATION OFFICER (M) (BPS-17) SHNGLA

C# 0345-3034298



(61)

(1)

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1417 of 2022

Taj Muhammad Khan PST (Primary School Teacher)
Government Primary School Luchana, District Shangla.

...Appellant

VERSUS

1. The Secretary Elementary and Secondary Education Department Government of Khyber Pakhtunkhwa, Peshawar.
2. The Director Elementary and Secondary Education Government of Khyber Pakhtunkhwa, Peshawar.
3. The District Education Officer (M) District Shangla.

...Respondents

SERVICE APPEAL UNDER SECTION 4
OF THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT, 1974
AGAINST THE SENIORITY POSITION
ALLOTTED TO THE APPELLANT IN
THE SENIORITY LIST OF THE YEAR
2022 AND 2023, WHICH WAS NEVER
COMMUNICATED TO THE
APPELLANT AND THE APPELLANT
GOT BY HIS PERSONAL EFFORTS,
WHEREIN WRONG SENIORITY
POSITION WAS ASSIGNED TO THE
APPELLANT FROM 19-09-2018 AND
REFLECTED AT SERIAL NO. 672
AGAINST WHICH THE APPELLANT
PREFERRED A DEPARTMENTAL

03.01.2023

14/7/2022
Taj Muhammad Usbat

Counsel for the appellant present.

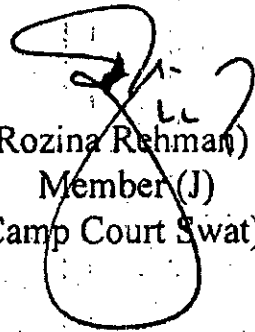
Preliminary arguments heard. Record perused.

Points raised need consideration. Instant appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notice be issued to respondents for submission of written reply/comments. To come up for written reply/comments on 08.02.2023 before S.B at camp court Swat.

Rs-100/-
Appellant Deposited
Security & Process Fee

Asif Masood
10/1/23

SCANNED
KPST
Peshawar


(Rozina Rehman)
Member (J)
(Camp Court Swat)

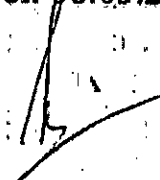
08.02.2023

Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present:

Today there is nobody present on behalf of the respondents nor did they submit written reply/comments. The time provided in Rule-12 of the Khyber Pakhtunkhwa Service Tribunal Rules, 1974 for filing reply is seven days before the date fixed but despite providing opportunity the respondents have not filed the comments. They are thus placed ex-parte and their right to file reply stands struck off. To come up for arguments on 08.03.2023 before D.B at camp court Swat.

Certified to be true copy

Khyber Pakhtunkhwa
Service Tribunal
Peshawar


(Muhammad Akbar Khan)
Member
Camp Court Swat