

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 355/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	02.06.2023	<p>The application for restoration of appeal No. 1437/2019 submitted today by Roeda Khan Advocate. It is fixed for hearing before Single Bench at Peshawar on <u>09/06/23</u>. Original file be requisitioned.</p> <p style="text-align: right;">By the order of Chairman</p> <p style="text-align: center;">REGISTRAR</p>

BEFORE THE SERVICE TRIBUNAL PESHAWAR

R.A. No 355/2023

Service Appeal No. 1437/2019

Khalid Waheed S/o Abdul Waheed R/o Sabro Pharma Nowshera Cantt

..... Petitioner

VERSUS

1. Director E&SE department KPK Peshawar..
2. DEO (Male) Primary Nowshera.
3. Deputy DEO District Nowshera.
4. Deputy Commissioner Nowshera.

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No.

5797

Dated

2/6/2023

..... Respondents

INDEX

S.No.	Description of documents	Annexure	Pages
1.	Copy of petition		1-3
2.	Copy of Judgment	A	4-8
3.	Wakalat Nama		9

Khalid Waheed
Petitioner

Through

Roeeda Khan

Roeeda Khan

Advocates High Court Peshawar

(1)

BEFORE THE SERVICE TRIBUNAL PESHAWAR

R. A. NO. 555/2023
Service Appeal No. 1437/2019

Khalid Waheed S/o Abdul Waheed R/o Sabro Pharma Nowshera
Cantt

..... Petitioner

VERSUS

1. Director E&SE department KPK Peshawar.
2. DEO (Male) Primary Nowshera.
3. Deputy DEO District Nowshera.
4. Deputy Commissioner Nowshera.

..... Respondents

**Application for restoration of the above mention Service Appeal
1437/2019 which has been dismissed and default on 25/07/2022.**

Respected Sir.

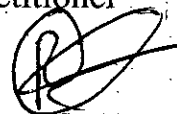
1. That the above mentioned Service Appeal was pending before this Hon'able tribunal which has been dismissed and default decided on 25/07/2022.
2. That the petitioner submitted restoration application No 4674/2022 which was dismissed and default on 14.04.2023. (Copy of order is attached as Annexure-A).
3. That council of the Petitioner/appellant was busy in out station in court proceedings while the Petitioner/Appellant was unable to attend the court due to death of his close relative that's why were unable to attend the this Honourable Tribunal.
4. That this Honourable tribunal dismissed in default the application of the petitioner due to non-appearance of the counsel as well as petitioner.

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5. That the appellant came to know regarding the order dated 14.04.2023 ~~and~~
on 30.05.2023

It is therefore, most humbly prayed that on acceptance of the instant
restoration application the Service Appeal of the appellant may kindly be
restore.

Through

Petitioner



**Roeda Khan Advocate
High Court Peshawar**

(3)

BEFORE THE SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1437/2019

Khalid Waheed S/o Abdul Waheed R/o Sabro Pharma Nowshera Cantt

..... Petitioner

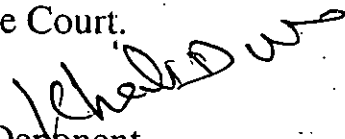
VERSUS

1. Director E&SE department KPK Peshawar.
2. DEO (Male) Primary Nowshera.
3. Deputy DEO District Nowshera.
4. Deputy Commissioner Nowshera.

..... Respondents

AFFIDAVIT

I, Khalid Waheed S/o Abdul Waheed R/o Sabro Pharma Nowshera Cantt do hereby affirm and declare on oath that the contents of the Instant Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.


Deponent


ATTESTED
Muhammad Yasir Adnan
Joint Commissioner
High Court Peshawar

(A) (4)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO.1437/2019

Restoration Appli. no. 474/2022

KHALID WAHEED

VS

EDUCATION DEPTT:

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1	Memo of Application	...	1-
2	Affidavit	—	2
3	Order sheet dated 25.07.2022	A	3
4	Vakaltnama	—	4

APPELLANT

THROUGH:

[Signature]
AFRASIAB KHAN WAZIR
ADVOCATE HIGH COURT

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Restoration APPLICATION NO. 474/2022
PESHAWAR.
Khyber Pakhtunkhwa
Service Tribunal
Appeal No 1437/19

Khalid waheed Vs Edu Deptt:

Diary No. 1027

Dated 19-8-2022

**APPLICATION FOR RESTORATION OF THE ABOVE MENTIONED
APPEAL WHICH WAS DISMISSED IN DEFAULT.**



RESPECTFULLY SHEWETH:

- 1) That the above mentioned appeal was fixed on 25/7/2022 before the D.B.
- 2) That the said appeal was dismissed in default due to non-appearance of the counsel and petitioner.
- 3) That the counsel and petitioner was not aware neither mentioned in the dairy of the counsel.

It is therefore, kindly requested that the above appeal may kindly be restored.

Dated - 01-08-2022

Applicant :

Khalid waheed

Khalid waheed

Through

*Muhammad Khan Ullah
Advocate H.C*

*Nazir Ahmad Mahsood
Advocate*

Certified to be true copy
EXAMINED
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

[Signature]

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BEFORE THE KYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

SA No: 1437/2019

Khalid Waheed

Appellant

Versus

Education Department Khyber Pakhtunkhwa
Nowshera and others Respondents

AFFIDAVIT

I, Khalid Waheed S/o Abdul Waheed R/o House No. 240/4 Rehman Masjid Colony Nowshera Cantt do hereby affirm and declare on oath that the contents of the accompanying Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



Deponent

Khalid Waheed



A-2 (3)

BEFORE THE KHYBER-PUKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 1437/2019

Khalid Waheed S/O Abdul Waheed R/O Sabro Pharma Nowshera
oCantt _____ Appellant

Vs

Khyber Pakhtunkhwa Service Tribunal

Diary No. 1482

Dated 21-10-2019

- 1) Director E & SE Department KPK Pakistan
- 2) DEO (Male) Primary Nowshera
- 3) Deputy DEO District Nowshera
- 4) Deputy Commissioner Nowshera

_____ Respondent

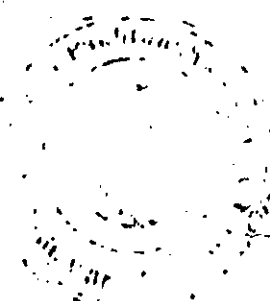
APPEAL FOR GRANTING SENIORITY-CUM-PROMOTION IN (SPSHT-15 SCALE) OF APPELLANT IN VIEW OF ORDER OF THE COURT DATED : 24/10/2017 ALONG WITH ANY OTHER REMEDY TO WHICH APPELLANT IS FOUND ENTITLED IN THE CONTEXT OF APPEAL+

25th July, 2022

1. Nemo for the appellant. Syed Naseer Ud Din Shah, Asst: AG alongwith Mr. Masood Khan, ADEO (Litigation) 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.

3. Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 25th day of July, 2022.



(Signature)

(Kalim Arshad Khan)
Chairman

EXAMINER
Khyber Pakhtunkhwa Service Tribunal
Peshawar

Date of Presentation of Application 21-08-22
 Number of Words 450
 Copying Fee 6/-
 Urgent 1/-
 Total 7/-
 Name of Copyist -
 Date of Completion of Copy 04-08-22
 Date of Delivery of Copy 04-08-22

(8)

ORDER
14.04.2023

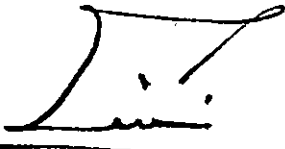
Nemo for the appellant. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.



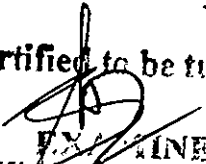
On previous date, last chance was given to the appellant to argue the appeal on the next date positively. Today, case was called for several times but nobody put appearance on behalf of the appellant till raising of the court, therefore, the appeal is dismissed in default. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
14.04.2023

Nacem Amin

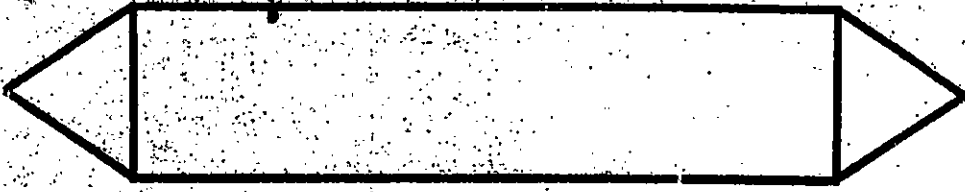

(Salah-Ud-Din)
Member (Judicial)

Certified to be true copy


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 30-5-2023
Number of Words Page 2
Copying Fee 10/-
Urgent 5/-
Total 15/-
Name of C...
Date of Completion of Copy 30-5-2023
Date of Delivery of Copy 30-5-2023

بعدالت مناب سے درخواست کی اور اس کے ساتھ



2023 منجانب اعلیٰ

مورخہ

مقدمہ

دعویٰ

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ
آن مقام کے

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے ق تقرر ثالث فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یا یکطرفہ یا اپیل کی برآمدگی
اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا محتاج ہوگا۔ از بصورت ضرورت
مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے
تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکور با اختیارات حاصل ہوں گے
اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے
سبب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔
کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

2023ء

ماہ

المرقوم

واہ العبد

ACCEPTED

(Signature)

(Signature)