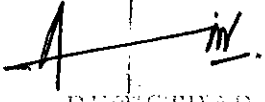


FORM OF ORDERSHEET

Court of _____

Misc. application No. 370/2023

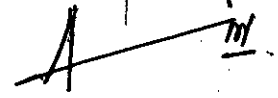
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	13/06/2023	<p>The Misc. application in appeal no. 716/2016 submitted today by Farah Naz (Respondent No.6) for setting aside ex-parte order . It is fixed for hearing before Division Bench at Peshawar on <u>14-06-2023</u> . Original file be requisitioned.</p> <p style="text-align: right;"> REGISTRAR</p>

The Misc. application in appeal no. 712/2016 on behalf of respondent no. 6 received today i.e. 12.6.2023 is incomplete on the following scores which is returned to the counsel for the applicant for completion and resubmission within 15 days.

- 1- Application is not in proper format.
- 2- Affidavit is not attested by the Oath Commissioner.

No. 1743 /S.T,

Dt. 13/06 /2023:



REGISTRAR
KHYBER PAKHTUNKWA
SERVICE TRIBUNAL
PESHAWAR

Muhammad Aslam Tanoli Adv.
High Court A.Abad.

BEFORE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

K.P.S.
Peshawar

MISE Application no. 370/2023

Appeal No. 712/16

Dated: 20-06-2016

Next date: 19/6/2023

Miss. Faiza Abbasi (Computer Operator) Office of the
Commissioner, Hazara Division, Abbottabad(Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Board of
Revenue, Khyber Pakhtunkhwa, Peshawar and 05 others.

.....(Respondents)
Khyber Pakhtunkhwa
Service Tribunal

SERVICE APPEAL

Diary No. 5939

Dated 12/6/23

**PETITION ON BEHALF OF RESPONDENT NO.6 FOR SETTING ASIDE
ORDER DATED 18-11-04-2019 AND ACCORDING PERMISSION TO
DEFEND THE RIGHTS BY PETITIONER.**

Respectfully Sheweth:

1. That the titled service appeal is pending adjudication before this honorable Service Tribunal.
2. That petitioner/respondent has been proceeded against ex-parte vide order dated **18-11-2019**.
3. That petitioner/respondent was never served with parcha peshi etc.
4. That though petitioner/respondent had submitted reply to appeal of appellant.
5. That now, it has come to knowledge of petitioner/respondent that appellant has submitted a fresh application on **26-04-2023** with more stance in addition to that taken in the original appeal. Petitioner/respondent

BEFORE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 712/16

DATED: 20-06-2016

Miss. Faiza Abbasi (Computer Operator) Office Of The
Commissioner, Hazara Division, Abbottabad.

...(Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. Senior Member Board of Revenue, Peshawar.
3. Commissioner Hazara Division, Abbottabad.
4. Assistant to Commissioner, Rev;/GA), Hazara Division, Abbottabad.
5. Awais Ahmed Qureshi, Computer Operator, Commissioner Office Hazara Division Abbottabad.
6. Farah Naz, Computer Operator, Commissioner Office Hazara Division Abbottabad.

.....(Respondents)

SERVICE APPEAL

**PETITION ON BEHALF OF RESPONDENT NO.6 FOR SETTING ASIDE
ORDER DATED 18.11.2019 AND ACCORDING PERMISSION TO
DEFEND THE RIGHTS BY PETITIONER.**

Respectfully Sheweth:

1. That the titled service appeal is pending adjudication before this honorable Service Tribunal.
2. That petitioner/respondent has been proceeded against ex-parte vide order dated 18.11.2019.
3. That petitioner/respondent was never served with parcha peshi etc.
4. That though petitioner/respondent had submitted reply to appeal of appellant.
5. That now, it has come to knowledge of petitioner/respondent that appellant has submitted a fresh application on 26.04.2023 with more stance in addition to that taken in the original appeal. Petitioner/respondent

desires to bring some facts to the notice of this honorable Tribunal for just and proper decision of the appeal.


6. That if the ex-parte order dated **18-11-2019** is not set aside and petitioner/respondent not allowed the chance to defend her rights then she will have to suffer tremendous loss in her service career.

PRAYER:

It is, therefore, humbly prayed that on acceptance of instant petition the ex-parte order dated **18-11-2019** may graciously be set aside and petitioner/respondent be allowed to defend her case by producing proof. *Any other remedy deemed fit may also be granted under the circumstances.*

Petitioner/Respondent No.6

Through


(Muhammad Aslam Tanoli)
Advocate High Court
At Abbottabad

Dated: 12-06-2023

VERIFICATION

It is verified that the contents of instant petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.

Dated: -06-2023


Petitioner/Respondent No. 06
Farah Naz

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No712/2016

SCANNED
KIST
Peshawar

Miss Faiza Abbasi

Versus

Government of Khyber Pakhtunkhwa
Through Secretary Board of Revenue,
Peshawar and 05 others.

APPLICATION FOR FIXATION OF SERVICE APPEAL
712/2016, AT PRINCIPAL SEAT PESHAWAR INSTEAD
OF CAMP COURT, ABBOTTABAD.

Respected Sir,

1. That I am private respondent No. 6 in the above mentioned service appeal.
2. That the appeal pertains to the year 2016 and requires early disposal.
3. That my counsel (Mr. Muhammad Adeel Butt, Advocate) also belongs to Peshawar.
4. In view of the above, it is therefore, requested that the appeal mentioned above may very kindly be fixed at Principal Seat Peshawar and oblige.


RESPONDENT NO. 6.

BEFORE THE KYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR

Service Appeal No. 712/16

Faiza Abbasi

Versus

Govt KPK and 05 others

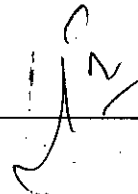
AFFIDAVIT

I, Farah Naz (Private Secretary) office of the Commissioner, Hazara Division, Abbottabad do hereby affirm and declare on oath that the contents of the Application is true and correct to the best of my knowledge and belief nothing has been concealed from this Hon'ble Service Tribunal.

Dated 12.06.2023



Deponent



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



Khyber Pakhtunkhwa
Service Tribunal

Diary No. 645

Dated 20-6-2016

Service Appeal No. 712 /2016

Miss Faiza Abbasi daughter of Jan-e-Alam Abbasi, resident of Sir Syed Colony, Mandian, Tehsil and District Abbottabad, presently working as Computer Operator (BPS-12) in the office of Commissioner, Hazara Division, Abbottabad.

...APPELLANT

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. Senior Member Board of Revenue, Peshawar.
3. Commissioner Hazara Division, Abbottabad.
4. Assistant to Commissioner, (Rev./GA), Hazara Division, Abbottabad.
5. Awais Ahmed Qureshi, Computer Operator, Commissioner Office Hazara Division Abbottabad.
6. Farah Naz, Computer Operator, Commissioner Office, Hazara Division Abbottabad.

...RESPONDENTS

Filed to-day

Registrar
20/6/16

SERVICE APPEAL AGAINST THE ORDER

DATED 19/05/2016 PASSED BY RESPONDENT

NO. 2 WHEREBY THE RESPONDENT NO.2

Received to -day
and filed.

Registrar
11/7/16

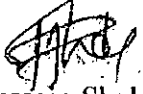
ATTESTED

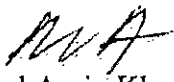
Registrar
Khyber Pakhtunkhwa
Service Tribunal
Peshawar



19.09.2019

Junior counsel for the appellant and Mr. Muhammad Bilal, Deputy District Attorney alongwith Mr. Attaullah, Assistant Secretary for official respondents No. 1 to 4 present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel is busy in the Model Court and cannot attend the Tribunal today. Case to come up for arguments on 18.11.2019 before D.B at Camp Court Abbottabad.


(Hussain Shah)
Member
Camp Court Abbottabad

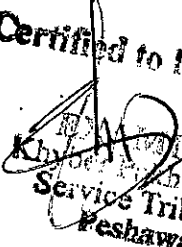

(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

18.11.2019

Learned counsel for the appellant present. Mr. Usman Ghani learned District Attorney for official respondents present. No one present on behalf of private respondents No.5 & 6, hence placed ex-parte. Adjourn. To come up for arguments on 18.12.2019 before D.B at Camp Court, Abbottabad.


Member


Member
Camp Court, A/Abad

Certified to be true copy

MEMBER
Khayber Pakhtunkhwa
Service Tribunal
Peshawar

وکالت نامہ

بعد ازاں جناب جسٹس جی۔ ایچ۔ جعفری نے فرما دیا کہ اس کی توثیق کی جائے اور

منجانب مستشرقین / سائنس دان / محققین سے توثیق حاصل کی جائے اور اس کی توثیق کے لئے اس کے لئے ایک کمیٹی تشکیل دی جائے۔

دعویٰ یا جرم سردیوں میں باعث تحریر آنکہ

مندرجہ بالا عنوان میں اپنی طرف سے بیرونی وجوہی مقام ایڈووکیٹ / آفیسر / مینیجر

کے طور پر ایڈووکیٹ بدیں شرط وکیل مقرر کیا۔ کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص

رہے اور عدالت حاضر ہوتا رہوں گا۔ اور بوقت پکارے جانے وکیل صاحب موصوف کو اطلاع دے کر حاضر کروں گا۔ اگر کسی

پیشی پر مظہر حاضر نہ ہوں۔ اور حاضری کی وجہ سے کسی وجہ پر مقدمہ میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ

ہوئے۔ نیز وکیل صاحب موصوف صدر مقام پچھری کے علاوہ کسی اور جگہ یا پچھری کے مقرر اوقات سے پہلے یا بروز

تعطیل بیرونی کرنے کے مجاز نہ ہوئے۔ اگر مقدمہ مقام پچھری کے کسی اور جگہ ساعت ہونے یا بروز پچھری کے اوقات

کے آگیا یا پیچھے ہونے پر مظہر کو کوئی نقصان پہنچے تو ذمہ دار یا اس کے رابطے کسی معاوضہ ادا کرنے مختار نامہ واپس کرنے کے

بھی صاحب موصوف ذمہ دار نہ ہوئے۔ مجھے کل ساختہ پرواختہ صاحب محل کردہ ذات خود منظور و قبول ہوگا اور صاحب

موصوف کو عرضی دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل مگرانی پائر کرنے نیز ہر قسم کی درخواست پر دستخط تصدیق

کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراء کرنے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرنے

کا ہر قسم کا بیان دینے اور پروٹاٹی و رضی نامہ و فیصلہ بر خلاف کرنے اقبال دعوے کا اختیار ہوگا۔ اور بصورت اپیل و

برآمدگی مقدمہ یا منسوخی ڈگری یا طرز درخواست حکم اختتامی یا ڈگری قبل از فیصلہ اجراءے ڈگری بھی صاحب موصوف کو

بشرط ادا تنگی علیحدہ بیرونی مختار نامہ کرینکا مجاز ہوگا۔ اور بصورت ضرورت اپیل یا اپیل کے واسطے کسی دوسرے وکیل یا بیرسٹر

کو بجائے اپنے ہمراہ مقرر کریں اور ایسے مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوئے جیسے صاحب

موصوف کو۔ پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی بیرونی نہ

کریں اور ایسی حالت میں میرا مطالبہ صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا ہے کہ سند ہے مضمون

مختار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا اور منظور ہے۔

موزن: 20-06

السَّعِيدُ السَّعِيدُ السَّعِيدُ

Accepted by
M. Adnan
Associate

Handwritten signature and initials.