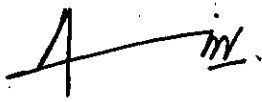


FORM OF ORDER SHEET

Court of _____

Restoration Application No. 478/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	11.07.2023	<p>The application for restoration of appeal No. 334/2016 submitted today by Mr. Muhammad Asif Yousafzai 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 THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR.

Restoration Application no. 478/23

SERVICE APPEAL NO. 334/2016

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 6394

Dated 11-7-23

Azeem Khan, Deputy Secretary (BPS-18), (Retired)
C&W Department, Peshawar.

APPELLANT

VERSUS

1. The Provincial Government through Chief Secretary KPK Peshawar.
2. The Chief Secretary Government of KPK Peshawar.
3. The Secretary Establishment, KPK Peshawar.
4. The Secretary Finance KPK Peshawar.

RESPONDENTS

APPLICATION FOR RESTORATION OF INSTANT
SERVICE APPEAL WHICH WAS DISMISSED IN
DEFAULT ON 03.07.2023.

RESPECTFULLY SUBMITTED:

1. That the instant appeal was pending before this Honorable Tribunal which was fixed for arguments on 03.07.2023.
2. That the counsel of the appellant was busy in the MTI-Appellate Tribunal, due to which the counsel for the appellant could not attend the case on 03.07.2023 due to which the instant appeal was dismissed in default. (Copy of order sheet dated 03.07.2023 is Annexure-A)
3. That the appellant has good prime facie case and it will be in the interest of justice to decide the case on merit.

It is, therefore, most humbly prayed that on acceptance of this application, the appeal may kindly be restored which was dismissed in default and decide the same on merit.

APPELLANT

THROUGH:

M. Asif Yousafzai
(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT

AFFIDAVIT

It is affirmed and declared that the contents of the above Application are true and correct to the best of my knowledge and belief.

Azeem Khan
DEPONENT

ATTEST
[Signature]
11/7/23

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR.

APPEAL NO. 334 /2016

Mr. Azeem Khan, Deputy Secretary (BPS-18) (Retd)

C&W Deptt: Department. Peshawar.

H.W.P. Province
Service Tribunal
Diary No 312
Dated 31-3-2016

(Appellant)

VERSUS

1. The Provincial Govt: through Chief Secretary KPK, Peshawar.
2. The Chief Secretary Govt of KPK, Peshawar.
3. The Secretary Establishment, KPK, Peshawar.
4. The Finance Secretary KPK, Peshawar.

(Respondents)

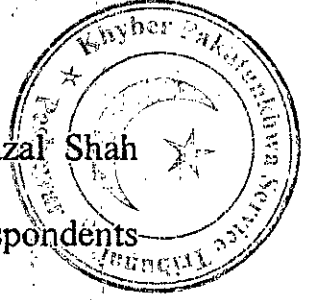
APPEAL UNDER SEC- 4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED. 01.02.2016 COMMUNICATED TO APPELLANT ON 18.03.2016 WHEREBY THE DEPARTMENTAL OF THE APPELLANT WAS REJECTED FOR NO GOOD GROUND.

PRAYER:

16

THAT ON ACCEPTANCE OF THIS APPEAL THE ORDER DATED. 01.02.2016 MAY BE SET-ASIDE AND THE RESPONDENTS MAY BE DIRECTED TO CONSIDER THE APPELLANT FOR ANTI-DATE PROMOTION ON REGULAR BASIS W.E.FROM 10.07.2004 WITH ALL BACKS AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND PROPER THAT MAY ALSO BE GRANTED IN FAVOUR OF THE APPELLANT.

A. No. 334/2016



29th May, 2023

1. Learned counsel for the appellant present. Mr. Fazal Shah Mohmand, Additional Advocate General for the respondents present.

2. Learned counsel for the appellant present and requested for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 03.07.2023 before D.B. P.P given to the parties.

SCANNED
KPST
Peshawar

(Muhammad Akbar Khan)
Member (E)

(Kalim Arshad Khan)
Chairman

*Kaleem Ullah

3rd July, 2023

1. Nobody present on behalf of the appellant. Mr. Asif Masood Ali Shah, Deputy District Attorney for respondents present.

2. The case was called time and again but neither the appellant nor his counsel put appearance, therefore, the appeal in hand is dismissed in default. Consign.

3. *Pronounced in open Court in Peshawar given under our hands and seal of the Tribunal on this 3rd day of July, 2023.*

(Rashida Bano)
Member(J)

(Kalim Arshad Khan)
Chairman

Adnan Shah

Date of Presentation of Application 05/7/23
Number of Words page 2
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Total 10/-
Name of Copyist Shahzad
Date of Completion of Copy 07-07-23
Date of Delivery of Copy 10/7/23


7/7/23