

## FORM OF ORDER SHEET

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

Restoration Application No. 511/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	21.07.2023	<p>The application for restoration of S.O. No. 184/2015 submitted today by Mr. Naveed Advocate. It is fixed for hearing before Divisional Judge at Peshawar on _____ Original _____ requisitioned.</p>

By the order of \_\_\_\_\_



REGISTRAR

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR**

C.M. No. \_\_\_\_\_/2023

*R.A. NO. 511/23*

In

S.A No. \_\_\_\_\_/2015

Said Kamal.....**Petitioner/Appellant**

**VERSUS**

Secretary Environment & Wild Life Khyber Pakhtunkhwa  
Peshawar & Others

.....**Respondents**

**INDEX**

<b>S.N</b>	<b>Description of Documents</b>	<b>Annex</b>	<b>Pages</b>
1.	Application for Restoration alongwith Affidavit		1-3
2.	Copy of order dated 23.06.2023	A	4-5
3.	Copy of Cause list	B	6-8

Through

Petitioner/Appellant

*Naveed Akhtar*

**Naveed Akhtar**

Advocate Supreme Court

&

*Munir Ud Din Ghouri*  
**Munir Ud Din Ghouri**

Advocate, High Court

Peshawar

Cell#0300-9596181

Dated 19.07.2023

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**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL, PESHAWAR**

C.M. No. \_\_\_\_\_/2023

In

S.A No. \_\_\_\_\_/2015

Said Kamal Deputy Conservator Wildlife Division, Peshawar  
.....**Petitioner/Appellant**

**VERSUS**

1. Secretary Environment & Wild Life Khyber Pakhtunkhwa Peshawar.
2. Chief Secretary Khyber Pakhtunkhwa, Peshawar
3. Chief Minister Khyber Pakhtunkhwa through Principal Secretary Peshawar.
4. Chief Conservator Wildlife Khyber Pakhtunkhwa, Peshawar.

.....**Respondents**

**APPLICATION FOR RESTORATION OF THE  
TITLED CASE DISMISSED ON  
23.06.2023.**

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**Respectfully Sheweth:-**

The applicant submits as under:-

1. That the above-cited case was pending adjudication before this Hon'ble Court and fixed for 23.06.2023, which was dismissed for non-prosecution. **(Copy of the order is attached herewith).**
2. That the above titled appeal has been dismissed for non prosecution and the appellant request for restoration of the above titled appeal and its decision on merits inter alia on the following grounds:-

**GROUND:-**

- A. That absence of the appellant or his counsel was not intentional the appellant being Government Servant

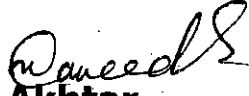

could not get leave to appear before this Hon'ble Tribunal.

- B.** That 23.06.2023 was a Friday and counsel for the appellant was busy before the Hon'ble Peshawar High Court, Peshawar in number of cases and therefore could not appear before this Hon'ble Tribunal. **(Copy of the Cause list is annexed as Annexure "B")**.
- C.** That the case was earlier argued on merit and was fixed for order but the judgment could not be announced and was re-fixed for arguments. It is thus a ripe case for decision on merits.
- D.** That the law favours decision on merits rather than technicalities.
- E.** That valuable rights are involved in the case and it shall be lawful in accordance with justice if the appeal in hand along with connected appeals is decided on merits.

**It is, therefore most humbly prayed that on acceptance of this application the above titled case/appeal may kindly be restored and announced on merits in the best interest of justice.**

Through Petitioner/Appellant

Dated 19.07.2023

  
**Naveed Akhtar**  
 Advocate Supreme Court  
 &  
  
**Munir Ud Din Ghouri**  
 Advocate, High Court  
 Peshawar  
 Cell#0300-9596181

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR**

C.M. No. \_\_\_\_\_/2023

In

S.A No. \_\_\_\_/2015

Said Kamal.....**Petitioner/Appellant**

VERSUS

Secretary Environment & Wild Life Khyber Pakhtunkhwa  
Peshawar & Others

.....**Respondents**

**AFFIDAVIT**

I, Naveed Akhtar Advocate Supreme Court of Pakistan as per information of my client, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

  
**DEPONENT**

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IN THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,

PESHAWAR



Service Appeal No. 184 /2015

Said Kamal  
Deputy Conservator,  
Wildlife Division, Peshawar. .... Appellant

Versus

1. Secretary Environment & Wildlife,  
Khyber Pakhtunkhwa, Peshawar.
2. Chief Secretary,  
Govt. of Khyber Pakhtunkhwa, Peshawar.
3. Chief Minister, Khyber Pakhtunkhwa,  
Through Principal Secretary, Peshawar.
4. Chief Conservator Wildlife,  
Khyber Pakhtunkhwa, Peshawar. .... Respondents.

APPEAL U/S 4 OF THE SERVICES  
TRIBUNAL ACT, 1974 AGAINST THE  
ORDER DATED 28.01.2014, WHEREBY  
THE APPELLANT WAS AWARDED  
PUNISHMENT OF WITHHOLDING THREE  
INCREMENTS FOR THREE YEARS AND  
AGAINST THE NON-DISPOSAL OF HIS.

Certified to be true copy

DEPARTMENTAL APPEAL DATED

21.04.2014.

RECEIVED  
Khyber Pakhtunkhwa  
Services Tribunal  
Peshawar

23.06.2023

Nemo for the appellant. Syed Jamal Shah, Superintendent  
alongwith Mr. Fazal Shah Mohmand, Additional Advocate  
General for the respondents present.



On previous date, learned counsel for the appellant had  
made request for adjournment for preparation of arguments. Today  
neither appellant nor his counsel appeared despite making repeated  
calls at different intervals till closing hours, therefore, the appeal  
in hand stand dismissed in default. File be consigned to the record  
room.

ANNOUNCED

23.06.2023

(Farooq Paul)

Member (Executive)

\*Nasim Amin\*

(Salah-ud-Din)

Member (Judicial)

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EX-10  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of Application 21-7-23  
Number of Words page 7  
Copying Fee 10/-  
Urgent \_\_\_\_\_  
Total 15/-  
Name of Copy Shahad  
Date of Completion of Copy 21-7-23  
Date of Delivery of Copy 21-7-23

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PESHAWAR HIGH COURT, PESHAWAR

DAILY LIST FOR FRIDAY, 23 JUNE, 2023

BEFORE:

MR. JUSTICE ISHTIAQ IBRAHIM

Court No: 3

NOTICE CASES

- |  |   |  |
|--|---|--|
| 16. Cr.M(BA) 1990-<br>P/2023(602 gm<br>Ice)(Criminal<br>Miscellaneous-Ba<br>Application-<br>Narcotics)<br>(210924)                   | Shahir Ahmad<br>V/s<br>The State                            | Jawad Khan<br>Cr Appeal Branch AG Office             |
| 17. Cr.M(BA) 1992-<br>P/2023(600 gm<br>heroin, 539 gm<br>Ice)(Criminal<br>Miscellaneous-Ba<br>Application-<br>Narcotics)<br>(210938) | Sharafat Ullah<br>V/s<br>The State (Date By Court)          | <del>KAVEED KHAN</del><br>Cr Appeal Branch AG Office |
| 18. Cr.M(BA) 2042-<br>P/2023(1041 gm<br>Ice)(Criminal<br>Miscellaneous-Ba<br>Application-<br>Narcotics)<br>(211146)                  | Amjad Khan<br>V/s<br>The State (Date By Court)              | Muhammad Adnan<br>Cr Appeal Branch AG Office         |
| 19. Cr.M(BA) 2066/2023<br>1041 gm Ice  | Rizwan Khan<br>V/s<br>The State                             | Amjad Noor Khan<br>Cr Appeal Branch AG Office        |
| 20. Cr.M(BA) 2098-<br>P/2023(1010 gm<br>heroin)(Criminal<br>Miscellaneous-Ba<br>Application-<br>Narcotics)<br>(211350)               | Mirwals<br>V/s<br>The State                                 | Imran Khan (Pawaka)<br>Cr Appeal Branch AG Office    |
| 21. Cr.M(BA) 2114-<br>P/2023(2.40 kg<br>heroin)(Criminal<br>Miscellaneous-Ba<br>Application-ATA)<br>(211413)                         | Saif Ullah alias Saifay<br>V/s<br>The State (Date By Court) | Muhammad Farooq Qasim<br>Cr Appeal Branch AG Office  |



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PESHAWAR HIGH COURT, PESHAWAR  
DAILY LIST FOR FRIDAY, 23 JUNE, 2023

Before:

MR. JUSTICE ABDUL SHAKOOR

Court No: 4

PRE-ADMISSION NOTICE

3. C.R 504-  
P/2020 (model  
court (civil) Stay  
on  
04.09.2020) (Order  
of Injunction)  
(164712)

Muhammad Fateh Khan  
V/s

Muhammad Sami ur rehman

Habibullah

Muhammad Farooq Afridi, Dauli  
Khan Mahmand

4. C.R 720-P/2021  
With CM  
1069/2021 (Orders  
Remand Order)  
(120948)

Ghulam Sarwar  
V/s

Zahir Muhammad (Swabi)

Sahib shah

5. C.R 889-P/2022  
With CM  
1437/2022 (Civil  
Revision-Orders)  
(200021)

Inayatullah Abdali  
V/s

Hamid Ali (Peshawar)

Muhammad Ali

6. FAO 62-  
P/2023 (Civil  
Appeal-First  
Appeal Against  
Order (FAO))  
(238898)

Abdul Ghafar & Other  
V/s (Date By Court)

Muslim Shah Aryani (Mardan)

Chief Executive PESCO

7. Cr.A 248-  
P/2021 (Acquittal  
Appeal- Illegal  
dispossession Act)  
(173844)

Saadat ulah Khan  
V/s

~~NAVEED AKHTAR~~

Cr Appeal Branch AG Office

State

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BEFORE

MR. JUSTICE IJAZ ANWAR

Case No: 5

**NOTICE CASES**

**(GENERAL ADJ of Waseem ud Din Khattak Adv)**

42. RFA 21- P/2019(Regular First Appeal(RFA)-Land Acquisition) (138287)	Managing Director KPK Small Industries Dev V/s Muhammad Asim Jamshed	Waseem ud Din Khattak Abdul Rasheed Pirzada, Civil Appeal Branch AG Office
I RFA 22/2019	Managing Director KPK Small Int V/s Nawabzada Muhammad Aurangzeb	Waseem ud Din Khattak Gul Siyar Khan Safi Advocate, Civil Appeal Branch AG Office
II RFA 23/2019	Managing Director KPK Small Inc V/s Mst Naveen Begum	Waseem ud Din Khattak Zar Badshah Khan (Mardan), Civil Appeal Branch AG Office, Abdur Rashid Pirzada
III RFA 24/2019	Managing Director KPK Small Inc V/s Muhammad Usman Khan	Waseem ud Din Khattak Abdul Rasheed Pirzada, Civil Appeal Branch AG Office
IV RFA 25/2019	Managing Director KPK Small Inc V/s Mst. Roshan Begum	Waseem ud Din Khattak Amir Hussain, Civil Appeal Bran AG Office
V RFA 26/2019 with cm 224/2023	Muhammad Aurangzeb Khan V/s Managing Director SIDBI/KPK Peshawar	Haji Sardar Ali Khan, Gul Siyar Khan Safi Advocate Civil Appeal Branch AG Office
VI RFA 39/2019	Muhammad Usman Khan V/s The Presiding Officer Revenue Appellate Court	Jehanzeb Khan Toru, Gul Siyar Khan Safi Advocate Civil Appeal Branch AG Office
VII RFA 41/2019	Mst. Roshan Ara Begum V/s Government of KPK	Jehanzeb Khan Toru, Sikandar Rashid
VIII RFA 58/2019	Muhammad Asim Jamshed V/s Land Acquisition Collector	Waseem ud Din Khattak, Civil Appeal Branch AG Office Abdur Rashid Pirzada
IX CM Rest 164/2021 in RFA No. 18/19	Mst. Naveen begum V/s Govt of KP & others	Waseem ud Din Khattak, Civil Appeal Branch AG Office <del>NAVEEN BEGUM</del> Civil Appeal Branch AG Office