


FORM OF ORDER SHEET

Court of _____

Restoration Application No. 514/2023

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 appeal No. 1413/2021 submitted today by him. It is fixed for hearing before touring Single Bench at Swat on _____ Original file be requisitioned.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,

PESHAWAR.

Restoration Appli. No. 514/23

S.A.No.1413/2020

Shahzada Appellant

Versus

Govt. of K.P through Secretary Elementary and Secondary Education
and others Respondents

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1	Application for restoration with affidavit.		1-2
2	Attested copy of order dated 06.06.2023		3-4

Appellant/ Applicant-in-Person


Shahzada

Next date -

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,

PESHAWAR.

Restoration Appli. No. 514/23

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 6643

Dated 21/7/2023

S.A.No.1413/2023

Shahzada son of Abdul Baqi
R/o Bagh Maidan, Tehsil Lal Qilla, District Dir Lower..... Appellant

Versus

- 1) Govt. of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education, Civil Secretariat, Peshawar.
- 2) Director Elementary and Secondary Education, Govt. of KP, Peshawar.
- 3) District Education Officer (Male) District Dir Lower at Timergara.
- 4) District Accounts Officer Dir Lower at Timergara.... Respondents

APPLICATION FOR RESTORATION OF
THE ABOVE NOTED APPEAL DISMISSED
IN DEFAULT ON 06.06.2023.

Respectfully Sheweth;

Applicant submits as under:

- 1) That the above noted appeal was fixed on 06.06.2023 and dismissed in default. (Copy of order is attached).
- 2) That the undersigned/ counsel for appellant was under impression that the case was fixed for 06.07.2023 because clerk has wrongly noted the date in the Diary as 06.07.2023
- 3) That when on 06.07.2023 the undersigned appeared before the Hon'ble Tribunal he was informed that the case has already been dismissed in default on 06.06.2023, therefore, applied for attested of the order, hence this application.

- 4) That the application is well within time from the date of knowledge.
- 5) That the non-appearance of the counsel as well as of the appellant is neither willful nor deliberate but due to the above mentioned reason.
- 6) That superior courts of the country always favour adjudication of the cases on merits rather than on technicalities and there is no legal impediment in the way of restoration of the case.

It is, therefore, requested that the above noted case may kindly be restored in the interest of justice and be decided on merits.


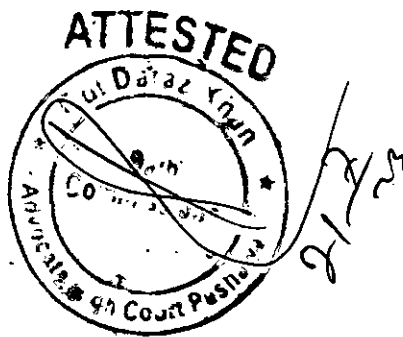
Appellant/ Applicant-in-Person



Shahzada

AFFIDAVIT

I, Shahzada son of Abdul Baqi R/o Bagh Maidan, Tehsil Lal Qilla, District Dir Lower, do hereby affirm and declare 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



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

Service Appeal No. 1413 /2020

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 11243

Dated 06/10/2020

Shahzada, Son of Abdul Baqi, Resident of Bagh Maidan Tehsil
Lal Qala,, District Dir Lower. **Appellant**

VERSUS

- 1) Govt of Khyber Pakhtunkhwa through Secretary Elementary and Secondary Education Civil Secretariat Peshawar
- 2) Director Elementary and Secondary Education Govt. of Khyber Pakhtunkhwa, at Peshawar.
- 3) District Education Officer (Male) District Dir Lower at Timergara
- 4) District Account Officer Dir Lower at Timergara... **Respondents**

**APPEAL UNDER SECTION 4 OF THE GOVT. OF
KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL ACT,
1974 AGAINST THE ILLEGAL, UNLAWFUL ORDER
DATED 30.07.1981 VIDE WHICH THE APPELLANT
WAS TERMINATED WITHOUT ANY SHOW CAUSE/
CHARGE SHEET.**

Filed to-day

Registrar

6/10/2020

Submitted to-day
and filed.

Registrar

22/10/2020

Prayer in appeal.

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Appeal No. 1413/2021
Shahzada vs Govt 4

06.06.2023

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



02. The appeal in hand was called on for hearing after
various intervals, however, neither the appellant nor anyone
else appeared on his behalf till the closing time, therefore, the
appeal in hand stands dismissed in default. Consign.

03. Pronounced in open court at camp court Swat and
given under my hand and seal of the Tribunal this 06th day of
June, 2023.

Certified for fair copy

[Signature]
Khyber Pakhtunkhwa
Service Tribunal
Peshawar
17/7/23

Kamranullah

[Signature]
(Muhammad Akbar Khan)
Member (E)
Camp Court, Swat

Date of Presentation of Application 11-7-23
Number of Words Page 2
Copying Fee 10/-
Urgent -
Total 10/-
Name of Applicant Shahzad
Date of Court 17-7-23
Date of Delivery of Copy 21-7-23