


## FORM OF ORDER SHEET

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

Restoration Application No. 533/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge.
1	2	3
1	25.07.2023	<p>The application for restoration of Appeal no. 965/2015 submitted today by Mr. Naveed Khan Advocate. It is fixed for hearing before Division Bench at Peshawar on <u>31-07-2023</u>. Original file be requisitioned.</p> <p>By the order of Chairman  REGISTRAR</p>

The restoration application of Muhammad Faiq Khan received on 19.7.2023 is incomplete on the following scores which is returned to the applicant for the applicant for completion and resubmission within 15 days.

Memo of application is not on proper format.

No. 2003 /S.T,

Dt. 21/7 /2023.



REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR

Mr. Naveed Akhtar Adv.  
High Court Peshawar.

D/S'r.

Resubmitted After the message  
Completion.

*Naveed Akhtar*  
25/7/23

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

Restoration Appli. no. 533/23  
C.M. No. \_\_\_\_\_/2023

In

S.A No.965/2015

Muhammad Faiq Khan.....**Petitioner/Appellant**

**VERSUS**

Secretary Environment & Wild Life Khyber Pakhtunkhwa  
Peshawar & Others

.....**Respondents**

**I N D E X**

<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**

Advocate Supreme Court

**&**

  
**Munir Ud Din Ghouri**

Advocate, High Court

Peshawar

Cell:#0300-9596181

Dated 19.07.2023

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

*Restoration Appli. No. 533/23*  
C.M. No. \_\_\_\_\_/2023

In  
S.A.No.965/2015.

Muhammad Faiq Khan.....**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.**

**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.**

Petitioner/Appellant  
Through

Dated: 19.07.2023

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

①

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

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

In

S.A No.965/2015

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 6604

Dated 19/07/23

Muhammad Faiz Khan.....**Petitioner/Appellant**

**VERSUS**

Secretary Environment & Wild Life Khyber Pakhtunkhwa  
Peshawar & Others

.....**Respondents**

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TITLED CASE DISMISSED ON  
23.06.2023.**

**Respectfully Sheweth:-**

The applicant submits as under:-

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**GROUNDS:-**

- 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.
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- 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.
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- 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.**

Petitioner/Appellant

Through:



**Naveed Akhtar**

Advocate Supreme Court

&



**Munir Ud Din Ghouri**

Advocate, High Court

Peshawar

Cell:#0300-9596181

Dated: 19.07.2023

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

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

In:

S.A No.965/2015

Muhammad Faiq Khan.....**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.



19-7-23

*Naveed Akhtar*

**DEPONENT**



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**IN THE KHYBER PAKHTUNKHWA SERVICES**

**TRIBUNAL PESHAWAR**



Service Appeal No. 965 /2015

Muhammad Faique Khan Deputy Conservator Wild Life  
Division Peshawar

.....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 Wild Life Khyber Pakhtunkhwa Peshawar

.....Respondents

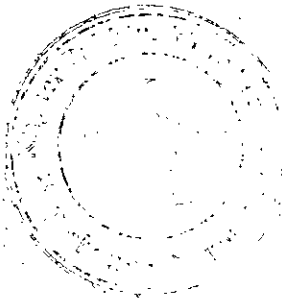
**APPEAL U/S 4 OF THE SERVICES TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 24-10-2013 BY THE FORESTRY, ENVIRONMENT AND WILD LIFE DEPARTMENT KHYBER PAKHTUNKHWA WHEREBY A RECOVERY OF RS. 112,700/- HAS BEEN ORDERED FROM THE APPELLANT AND AGAINST THE NON DISPOSAL OF DEPARTMENTAL REPRESENTATION DATED 26-03-2015 AGAINST THE SAME ORDER**

\_\_\_\_\_  
 Certified to be true copy  
 [Signature]  
 Khyber Pakhtunkhwa  
 Service Tribunal  
 Peshawar

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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

(Fareeha Paul)  
Member (Executive)

\*Nasim Amin\*

(Salah-ud-Din)  
Member (Judicial)

17/7/23

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17/7/23

15/7/23 - signed  
17/7/23

17/7/23

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

BEFORE:

MR. JUSTICE ISHTIAQ IBRAHIM

Court No: 3

NOTICE CASES

16. Cr.M(BA) 1990-  
P/2023(602 gm  
Ice)(Criminal  
Miscellaneous-Ba  
Application-  
Narcotics)  
(210924)
- Shabir Ahmad  
V/s  
The State
- Jawad Khan  
Cr Appeal Branch AG Office
- 
17. Cr.M(BA) 1992-  
P/2023(500 gm  
heroin, 539 gm  
Ice)(Criminal  
Miscellaneous-Ba  
Application-  
Narcotics)  
(210938)
- Sharafat Ullah  
V/s  
The State
- (Date By Court)
- ~~Naveed Akhtar~~  
Cr Appeal Branch AG Office
- 
18. Cr.M(BA) 2042-  
P/2023(1041 gm  
Ice)(Criminal  
Miscellaneous-Ba  
Application-  
Narcotics)  
(211145)
- Amjad Khan  
V/s  
The State
- (Date By Court)
- Muhammad Adnan  
Cr Appeal Branch AG Office
- 
19. Cr.M(BA) 2066/2023  
1041 gm Ice
- Rizwan Khan  
V/s  
The State
- Amjad Noor Khan  
Cr Appeal Branch AG Office
- 
20. Cr.M(BA) 2098-  
P/2023(1010 gm  
heroin)(Criminal  
Miscellaneous-Ba  
Application-  
Narcotics)  
(211350)
- Mirwais  
V/s  
The State
- Imran Khan (Pawaka)  
Cr Appeal Branch AG Office
- 
21. Cr.M(BA) 2114-  
P/2023(2.40 kg  
heroin)(Criminal  
Miscellaneous-Ba  
Application-ATA)  
(211413)
- Saif Ullah alias Saifay  
V/s  
The State
- (Date By Court)
- Muhammad Farooq Qasim  
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(modal court (civil) Stay on 04.09.2020)(Order s-Injunction) 1164712 | Muhammad Fatch Khan<br>V/s<br>Habibullah                             | Muhammad Sami ur rehman<br><hr/> Muhammad Farooq Afridi, Dauli Khan Mahmand |
| 4. C.R 720-P/2021 With CM 1069/2021(Orders Remand Order) 1160948                      | Ghulam Sarwar<br>V/s<br>Sahib shah                                   | Zahir Muhammad (Swabi)<br><hr/>   |
| 6. C.R 889-P/2022 With CM 1437/2022(Civil Revision-Orders) (200021)                   | Inayatullah Abdali<br>V/s<br>Muhammad Ali                            | Hamid Ali (Peshawar)<br><hr/>   |
| 6. FAO 62-P/2023(Civil Appeal-First Appeal Against Order(FAO)) (200898)               | Abdul Ghafar & Other<br>V/s (Date By Court)<br>Chief Executive PESCO | Muslim Shah Aryani (Mardan)<br><hr/>  |
| 7. Cr.A 248-P/2021(Acquittal Appeal- Illegal dispossession Act) 1173844               | Saadat ulah Khan<br>V/s<br>State                                     | <u>Naveed Akhtar</u><br><hr/> Cr Appeal Branch AG Office                    |

BEFORE:-

MR. JUSTICE HAZ ANWAR

Court No. 5

NOTICE CASES

(GENERAL ADJ of Waseem ud Din Khattak Adv)

42. RFA 21-  
P/2019(Regular  
First  
Appeal(RFA)-Land  
Acquisition)  
(138287)
- i RFA 22/2019
- ii RFA 23/2019
- iii RFA 24/2019
- iv RFA 25/2019
- v RFA 26/2019 with cm  
224/2023
- vi RFA 30/2019
- vii RFA 41/2019
- viii RFA 58/2019
- ix CM Rest 164/2021 in  
RFA No. 18/19
- Managing Director KPK Small  
Industries Dev  
V/s  
Muhammad Asim Jamshed
- Managing Director KPK Small Int  
V/s  
Nawabzada Muhamamd  
Aurangzeb
- Managing Director KPK Small Inc  
V/s  
Mst Naveen Begum
- Managing Director KPK Small Inc  
V/s  
Muhammad Usman Khan
- Managing Director KPK Small Int  
V/s  
Mst. Roshan Begum
- Muhammad Aurangzeb Khan  
V/s  
Managing Director SIDBI/KPK  
Peshawar
- Muhammad Usman Khan  
V/s  
The Presiding Officer Revenue  
Appellate Court
- Mst. Roshan Ara Begum  
V/s  
Government of KPK
- Muhammad Asim Jamshed  
V/s  
Land Acquisition Collector
- Mst. Naveen begum  
V/s  
Govt of KP & others
- Waseem ud Din Khattak
- Abdul Rasheed Pirzada, Civil  
Appeal Branch AG Office
- Waseem ud Din Khattak
- Gul Siyar Khan Safi Advocate,  
Civil Appeal Branch AG Office
- Waseem ud Din Khattak
- Zar Badshah Khan (Mardan),  
Civil Appeal Branch AG Office,  
Abdur Rashid Pirzada
- Waseem ud Din Khattak
- Abdul Rasheed Pirzada, Civil  
Appeal Branch AG Office
- Waseem ud Din Khattak
- Amir Hussain, Civil Appeal Bran  
AG Office
- Haji Sardar Ali Khan, Gul Siyar  
Khan Safi Advocate
- Civil Appeal Branch AG Office
- Jehanzeb Khan Toru, Gul Siyar  
Khan Safi Advocate
- Civil Appeal Branch AG Office
- Jehanzeb Khan Toru, Sikandar  
Rashid
- Waseem ud Din Khattak, Civil  
Appeal Branch AG Office
- Abdur Rashid Pirzada
- Waseem ud Din Khattak, Civil  
Appeal Branch AG Office
- ~~NAVERI AKHIL~~
- Civil Appeal Branch AG Office