


## FORM OF ORDER SHEET

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

Restoration Application No. 538/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	26.07.2023	<p>The application for restoration of Appeal no. 790/2018 submitted today by Roeeda Khan Advocate. It is fixed for hearing before Division Bench at Peshawar on <u>01-08-23</u>. Original file be requisitioned.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE SERVICE TRIBUNAL PESHAWAR

Service Appeal No 790/2018

Restoration ~~Application~~ Application No 538/2023



Dr. Amjid Ali Shah MBBS FCPS Forensic Medicine Department BPS-17

..... Appellant/Petitioner

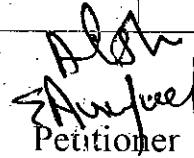
VERSUS

1. Director General Health Services, Peshawar.
2. The Principal of Khyber Girls Medical College Peshawar.
3. Secretary Health Khyber Pakhtunkhwa Peshawar.
4. Chief Secretary Health Department Peshawar.

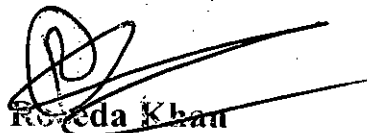
..... Respondents

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S.No.	Description of documents	Annexure	Pages
1.	Copy of petition alongwith affidavit		1-3
2.	Application for condonation of delay		4-5
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4.	Wakalat Nama		

  
Petitioner

Through

  
Rozeda Khan  
Advocates High Court Peshawar

(1)

BEFORE THE SERVICE TRIBUNAL PESHAWAR

Service Appeal No 790/2018

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 6717

Restoration No \_\_\_\_\_/23

Restoration Application no. 538/2023

26/07/23

Dr. Amjid Ali Shah MBBS FCPS Forensic Medicine Department BPS-17

..... Appellant/Petitioner

VERSUS

1. Director General Health Services, Peshawar.
2. The Principal of Khyber Girls Medical College Peshawar.
3. Secretary Health Khyber Pakhtunkhwa Peshawar.
4. Chief Secretary Health Department Peshawar.

..... Respondents

**Application for restoration of the above mention service appeal No. 790/2018 which has been dismissed and default on 28.11.2022.**

**Respected Sir.**

1. That the above mentioned service appeal was pending before this Hon'able Tribunal which was fixed on 28.11.2022.
2. That this Hon'able Tribunal dismiss in default the above titled service appeal on 28.11.2022. (Copy of order is attached as Annexure-A).
3. That the appellant was busy for outstation duty for a long time that's why was unable to attend the court proceeding on date fixed.
4. That the appellant came to know regarding the order dated 28.11.2022 on 24.07.2023.
5. That non-appearance of the appellant is not intentionally but due to the reason mentioned in above Para.


(2)

It is therefore, most humbly prayed that on acceptance of the instant application the instant service appeal may kindly be restore.

Dated 24.07.2023

  
Asher  
Petitioner

Through

  
Rueda Khan  
Advocates High Court  
Peshawar

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BEFORE THE SERVICE TRIBUNAL PESHAWAR

**Service Appeal No 790/2018**

**Restoration No \_\_\_\_\_/23**

Dr. Amjid Ali Shah MBBS FCPS Forensic Medicine Department BPS-17

..... Appellant/Petitioner

**VERSUS**

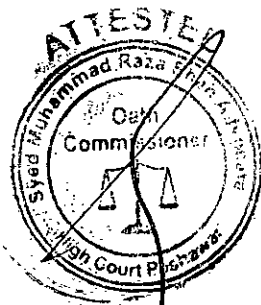
5. Director General Health Services, Peshawar.
6. The Principal of Khyber Girls Medical College Peshawar.
7. Secretary Health Khyber Pakhtunkhwa Peshawar.
8. Chief Secretary Health Department Peshawar.

..... Respondents

**AFFIDAVIT**

I, Dr. Amjid Ali Shah MBBS FCPS Forensic Medicine Department BPS-17 do hereby affirm and declare on oath that the contents of the Instant Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

*Amjid*  
Depoent



(41)

BEFORE THE SERVICE TRIBUNAL PESHAWAR

**Service Appeal No 790/2018**

**Restoration No \_\_\_\_\_/23**

Dr. Amjid Ali Shah MBBS FCPS Forensic Medicine Department BPS-17

..... Appellant/Petitioner

**VERSUS**

1. Director General Health Services, Peshawar.
2. The Principal of Khyber Girls Medical College Peshawar.
3. Secretary Health Khyber Pakhtunkhwa Peshawar.
4. Chief Secretary Health Department Peshawar.

..... Respondents

**APPLICATION FOR CONDONATION OF DELAY IN  
FILING OF APPEAL IF ANY.**

Respectfully Sheweth:

- 1) That the applicant file a restoration application before this Hon'ble Tribunal, in which no date for hearing is fixed so for.
- 2) That due unavoidable circumstances the instant Application was filed with delay, therefore request of the appellant is genuine.
- 3) That there are number of precedence of the Supreme Court of Pakistan. That the cases shall be decided on merits neither then on technicalities.


- (5)
- 4) That there are so many Judgment of the superior court as well as specific provision in service law that limitation has been counted from the date of knowledge. / Commencement.

It is, therefore, humbly prayed that on acceptance of this application the delay if any in filing of appeal may kindly be condone.

Dated 24.07.2023

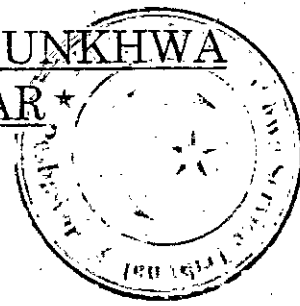
Alsh  
Shayid  
petitioner

Through

  
Roveda Khan  
Advocate High Court  
Peshawar

11A(6)

BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR



In Re S.A 790 /2018

Dr. Amjad Ali Shah MBBS FCPS Forensic Medicine  
Department BPS-17.

----- (Appellant)

VERSUS

1. Director General Health Services Peshawar.
2. The Principal of Khyber Girls Medical College Peshawar.
3. Secretary Health Khyber Pakhtunkhwa Peshawar.
4. Chief Secretary Health Department Peshawar.

----- (Respondents).

APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 25-08-2016 WHERE BY THE APPELLANT HAS BEEN RELIEVED FROM THE POST OF DEMONSTRATOR BPS-17 KHYBER MEDICAL GIRLS COLLEGE PESHAWAR TO HEALTH DEPARTMENT AGAINST WHICH THE DEPARTMENTAL APPEAL DATE: 20/09/2016 HAS NOT BEEN

AT PESHAWAR  
 24/7/23  
 Khyber Pakhtunkhwa  
 Services Tribunal  
 Peshawar



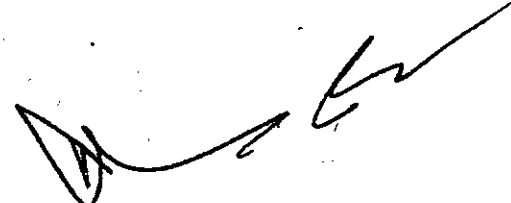


711  
Dr. Amjad Asghar vs Govt

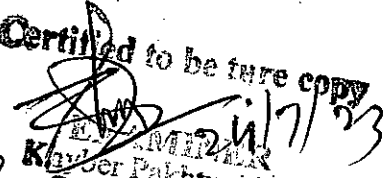
790/2018

- 28<sup>th</sup> Nov. 2022
01. Nemo for the appellant. Mr. Muhammad Adeel Butt, Addl. Advocate General for the respondents present.
  02. Called several times, till rising of the court but nobody turned up on behalf of the appellant. The appeal is, therefore, dismissed in default. Consign.
  03. *Pronounced in open Court at Peshawar and given under my hand and the seal of the Tribunal on this 28<sup>th</sup> day of November, 2022.*

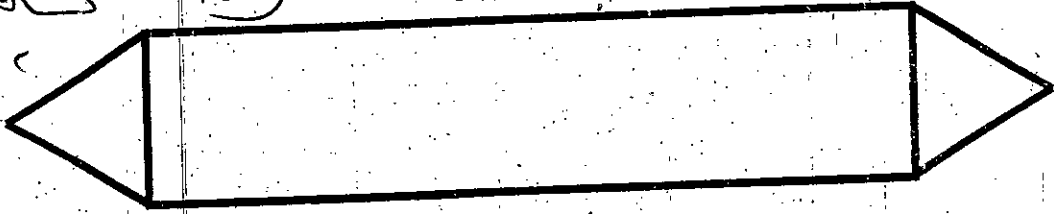
  
(Kareeha Paul)  
Member(E)

  
(Kalim Arshad Khan)  
Chairman

Date of Presentation of Application 24/7/2023  
Number of Words page 2  
Copying Fee 10/-  
Urgent 5/-  
Total 15/-  
Name of Copyiest Shahzad  
Date of Completion of Copy 24/7/23  
Date of Delivery of Copy 24/7/23

Certified to be true copy  
  
24/7/23  
Khayber Pakhtunkhwa  
Service Tribunal,  
Peshawar

بعدالت مناب لیسٹ ٹریسٹوں کے نام



مورخہ  
مقدمہ  
دعویٰ  
جرم

2023 منجانب اسٹریٹ

ڈاکٹر اعلیٰ بنام لیسٹ

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ

آن مقام لیسٹ کے لئے روایت خان اہد لیسٹ

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے ق تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا محتاج ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکور با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانبہ التوائے مقدمہ ہوں گے سب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

2023

ماہ جولائی

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المرقوم

واہ العبد

Acceptance  
By