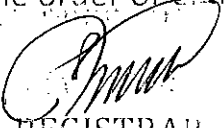


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 563/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	08.08.2023	<p>The application for restoration of Appeal no. 1405/2018 resubmitted today by Syed Mudasir Pirzada Advocate. It is fixed for hearing before Division Bench at Peshawar on <u>10-8-23</u>. Original file be requisitioned.</p> <p>By the order of Chairman  REGISTRAR</p>

The application for restoration of appeal no. 1405/2018 received today i.e. on 27.7.2023 is incomplete on the following scores which is returned to the counsel for the applicant for completion and resubmission within 15 days.

Application is not in proper format.

No. 2055 /S.T,

Dt. 31/7 /2023..



REGISTRAR
KHYBER PAKHTUNKWA
SERVICE TRIBUNAL
PESHAWAR

Syed Mudassir Pirzada Adv.
High Court Kohat.

Note
Re-submitted after compliance
mi

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Restoration Application no 363/2023

C.M No. _____/2023
In Service Appeal No.1405/2018

Ex-Constable Ikram Shoaib No.1225 of FRP Kohat
Range. **APPLICANT/APPELLANT**

VERSUS

Inspector General of Police & others. **RESPONDENTS**

I N D E X

S.#	Description of Documents	Annex	Pages
1.	Restoration Application alongwith Affidavit		1-2
2.	Attested Copy of Order dated 11.07.2023		3-4

Through

[Signature]
Applicant/Appellant

Dated: 27.07.2023

[Signature]
Syed Mudassir Pirzada
Advocate High Court
Cell: 0345-9645854

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

C.M No. _____/2023
In Service Appeal No.1405/2018

Diary No. 6738

Dated 27/07/23

Ex-Constable Ikram Shoaib No.1225 of FRP Kohat
Range. **APPLICANT/APPELLANT**

VERSUS

Inspector General of Police & others. **RESPONDENTS**

APPLICATION FOR RESTORATION
OF THE TITLED CASE WHICH WAS
DISMISSED-IN-DEFAULT BY THIS
HON'ABLE TRIBUNAL, VIDE ORDER
DATED 11.07.2023.

Respectfully Sheweth:

1. That the titled appeal was pending adjudication before this Hon'ble Tribunal, which was dismissed-in-default, vide order dated 11.07.2023. (Attested copy of Order is attached).
2. That, on the date fixed, the applicant was coming from his native District Kohat to Peshawar for attending the court, but due to heavy traffic, couldn't reached the court on time, while the counsel for the applicant/appellant was busy before the Federal Service Tribunal and was unable to put his appearance before this Hon'ble Tribunal on the date fixed, hence this application.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M No. _____/2023
In Service Appeal No.1405/2018

Ex-Constable Ikram Shoaib No.1225 of FRP Kohat
Range. **APPLICANT/APPELLANT**

VERSUS

1. Inspector General of KPK Police, Peshawar.
 2. Commandant FRP Police, Peshawar.
 3. Superintendent of Police, FRP Kohat Range.
-**RESPONDENTS**

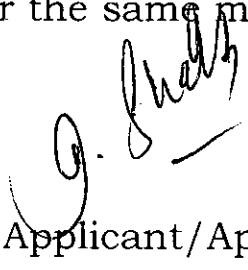
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3. That the absence of the applicant/appellant or his counsel was neither deliberate nor willful, but due to aforesaid reasons.
4. That since valuable rights of applicant/appellant are involved, therefore, the same needs to be decided on its own merit.
5. That the spirit of law is decision on merits rather dismissal on technicalities.

It is, therefore, prayed that on acceptance of this application, the application for restoration of the titled appeal may please be restored to its original number and thereafter the same may please be decided in its own merits.


Applicant/Appellant

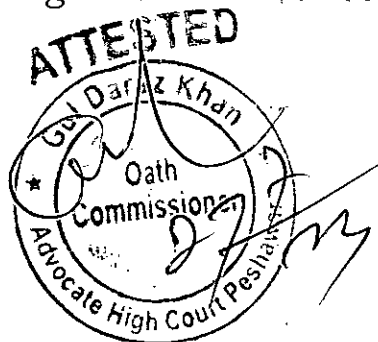
Through


Syed Mudassir Pirzada
Advocate High Court

Dated: 27.07.2023

AFFIDAVIT

I, Ex-Constable Ikram Shoaib No.1225 of FRP Kohat Range, do hereby solemnly affirm and declare that the contents of the accompanying **Restoration Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



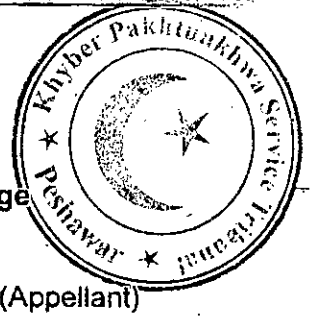

DEPONENT

① (3)

BEFORE THE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal 1405 2018

Ex-Constable Ikram Shoaib No-1225 of FRP Kohat Range



(Appellant)

VERSUS

1. INSPECTOR GENERAL OF KPK POLICE PESHAWAR.
2. COMMANDANT FRP POLIEC KOHAT REGION KOHAT *Pesh*
3. SUPERINTENDENT OF POLICE ,FRP KOHAT RANGE

(Respondent)

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 18-08-2017 VIDE O.B NO-642 UPON THE FINDINGS OF ENQUIRY OFFICER THE APPELLANT IKRAM SHOAIB CONSTABLE WAS AWARDED MAJOR PUNISHMENT OF DISMISSAL FROM SERVICE EXPARTLY AND THE ABSENTED PERIOD CONSIDER WITHOUT PAY FEELIG AGRRIVED FROM THE IMPUGNED ORDER APPELLANT PREFER DEPARTMENTAL REPRSENTATION WHICH WAS REJECTED ON 18-10-18.

Pray:

In view of above submission it is requested, by accepting of instant appeal the impugned order of Respondents may be set aside and the present appellant may please be re instated in the service with all back benefits or blessed with any other remedy as the Honable tribunal deem proper .

Respectfully Sheweth,

With great veneration the instant appeal is preferred by the appellant on the following grounds:-

Facts:

Briefly facts are that the appellant while serving as constable FRP Platoon No-111 deployed at District Police Lines Kohat the appellant receive call that the mother of the appellant is serious ill upon the information the appellant had informed the concern senior that the appellant intends to visit his home for the mothers treatment and reached home.

Certified to be true copy

[Signature]
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

S.A No.1405/2018


9
IKRAM vs Court

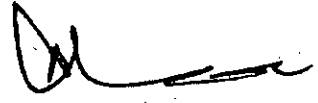


ORDER

11th July, 2023

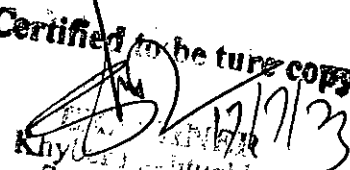
1. Nobody is present on behalf of appellant. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.
2. This case was called time and again but no one put appearance on behalf of appellant, therefore, the appeal in hand is dismissed in default.
3. Pronounced in open Court at Peshawar under our hands and seal of the Tribunal on this 11th day of July, 2023.


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

Mutazem Shah

Date of Presentation of Application 12/7/2023
Number of Words Page 2
Copying Fee 10/-
Urgent _____
Total 10/-
Name of Copyist Shahid
Date of Completion of Copy 17-7-23
Date of Delivery of Copy 19-7-23

Certified to be true copy

17/7/23
Khyber Pakhtunkhwa
Service Tribunal
Peshawar