


FORM OF ORDER SHEET

Court of _____

Restoration Application No. 587/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	17.08.2023	<p>The application for restoration of Appeal no. 4680/2020 submitted today by Mr. Hamad Hussain Advocate. It is fixed for hearing before Division Bench at Peshawar on <u>23-08-2023</u>. Original file be requisitioned.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

SCANNED
KPST
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA S: VICE TRIBUNAL PESHAWAR

Restoration Application # 587/2023
C.M.No. /2023

IN

SERVICE APPEAL NO 4689/2020.

SCANNED
KPST
Peshawar

Taj Muhammad s/o Sheikh Muhammad Appellant
PST GPS karkana district Mohmand.

VERSUS

The Govt of KPK Khyber Pakhtunkhwa through Chief Secretary
Pakhtunkhwa Peshawar and Others Respondents

INDEX

S.N	Description of Documents	Annexure	Page
1	Memo of application		1-2
3	Copy of judgment dated 17/07/2023	A	

Dated: 8/08/2023

Appellant

Through

Hamad Hussain

Arshad Khan

Advocates High Court Peshawar

Mobile No. 03120952763

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Restoration Application # 587/2023
C.M.No. _____/2023

Khyber Pakhtunkhwa
Service Tribunal

IN

SERVICE APPEAL NO 4689/2020.

Diary No. 7080

Dated 17/8/2023

Taj Muhammad s/o Sheikh Muhammad.....Appellant
PST GPS Karkana district Mohmand.

VERSUS

1. The Govt of KPK Khyber Pakhtunkhwa through Chief Secretary Pakhtunkhwa Peshawar.
2. The Secretary to Govt Khyber Pakhtunkhwa Elementary & Secondary Education Department Civil Secretariat Peshawar.
3. The Secretary Finance Department Govt Khyber Pakhtunkhwa Civil Secretariat Peshawar.
4. The Director Education Merged Area Warsak Road Peshawar.
5. The District education officer District Mohamand at Ghallani
.....Respondents

**APPLICATION FOR RESTORATION OF SERVICE APPEAL
OF THE APPELLANT WHICH WAS DISMISSED IN
DEFAULT.**

RESPECTFULLY SHEWETH,

Facts

1. That the subject service appeal was dismissed in default by this service tribunal on dated 17/07/2023. (Copy Of service appeal and order dated 17/07/2023)

2. That this service appeal was dismissed by this service Tribunal in default vide order date 17/07/2023, on the relevant date the counsel of the appellant was busy in Peshawar high court.
3. That there is no legal bar to restore the instant service appeal of the appellant.

It is therefore humbly prayed that on acceptance of this C M application the service appeal of the appellant may kindly be restore with at original number.

Appellant

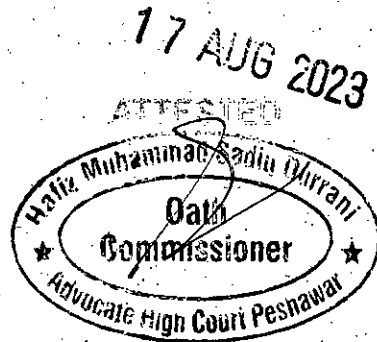
Through

(HAMAD HUSSAIN)

Advocate High Court
Peshawar
Mobile 03329122812

AFFIDAVIT

I, Taj Muhammad S/O Shah Muhammad , do hereby solemnly affirm and declare that the contents of the instant appeal is true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.



DEPONENT

Taj

①



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 4689/2020

Taj Muhammad S/o Sheikh Muhammad, PST, GPS Karkana, District Mohmand.
.....Appellant

Verses

- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa Peshawar.
- 2- The Secretary to Government Khyber Pakhtunkhwa Elementary & Secondary Education Department Civil Secretariat Peshawar.
- 3- The secretary Finance Department Government Khyber Pakhtunkhwa Civil Secretariat Peshawar.
- 4- The Director Education (Merged Area) warsak Road Peshawar.
- 5- The District Education officer District Mohmand at Ghallani

.....Respondents

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED INACTION ON THE PART OF RESPONDENTS AND NOT COUNTING THE PREVIOUS/PAST SERVICE OF THE APPELLANT TOWARDS PAY PROTECTION AND PENSIONARY BENEFIT WHICH IS ILLEGAL AND UNLAWFUL AND NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

Respectfully Sheweth:-

My humble submission are as under.

1. That the appellant was initially appointed as PST Teacher in the project Community School Teachers in the years 2003 and 2007. Since the appointment the appellant is performing his duties upto the entire satisfaction of their superior /officers. (Copy of order is Annexure A).
2. That due to complaints by the local people of the area in many Tribal Districts that various community (s) schools were closed in the years 2010 but reopened all the closed school on the directions of the then ACS Fata Secretariat. (copy of orders of closer and reopening of the school are Annexure B)

Certified to be true copy

EXAMINER 26/1/23
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Appeal No. 4680/2020
Taj Muhammad vs Govt




17.07.2023

1. Nobody present on behalf of the appellant. Mr. Fazal Shah Mohmand learned Additional Advocate General alongwith Noor Badshah, ADO for the respondents present.

2. Called several times till last hours of the court but nobody turned up on behalf of the appellant. In view of the above, the instant service appeal is dismissed in default. Consign.

3. Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 17th day of July, 2023.


(Fareeha Paul)
Member (E)


(Rashida Bano)
Member (J)

SCANNED
KPST
Peshawar

*KaleemUllah

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 26/7/23
Number of Words Page 2
Copying Fee 10/-
Urgent 5/-
Total 15/-
Name of Copyiest Shahzad
Date of Completion 26/7/23
Date of Delivery of Copy 26/7/23

بعدالت

KPK Service Tribunal

مورخہ
مقدمہ
دعویٰ
جرم

2ء منجانب
بنام

Taj Muhammad
VS
Educational Department

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ
آن مقام اور کیلئے محاذ حسنی اسد ارشد حان
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
زر میں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت 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 جانہ 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 سندر ہے۔

Handwritten signature

2023

08

ماہ

17

المرقوم

العبد د گ واه العبد