


FORM A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 650/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	19.09.2023	<p>The application for restoration of Appeal no. 1486/2022 submitted today by Mr. Muti ur Rehman Advocate. It is fixed for hearing before Single Bench at Peshawar on <u>21-09-23</u>. Original file be requisitioned.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

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

Restoration Appli - No - 650/23

Service Appeal No. 1486/2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 7676

Dated 19/09/23

Miraj Uddin S/O Abdur Rashid, Senior Theology Teacher BPS-16, at GHS
Werkup, Tehsil Mastuj, District Chitral Upper.

..... Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa, through Chief Secretary, Civil Secretariat, Peshawar.
2. Government of Khyber Pakhtunkhwa, through Secretary Education, Civil Secretariat, Peshawar.
3. Government of Khyber Pakhtunkhwa, through Accountant General (AG) Peshawar.
4. District Education Officer (Male) District Chitral.
5. District Account Officer (DAO), Chitral.

APPLICATION FOR RESTORATION OF TITLED SERVICE APPEAL

Respectfully Sheweth:

1. That the service appeal was fixed for hearing on 05.09.2023 but on that date the cases were not reflected in the cause list (Copy of cause list is attached).
2. That the case was dismissed in default on 09.11.2021 without serving any notice to the applicant or his counsel.
3. That the valuable rights of the applicant involved in the present case and restoration application is well within time.

4. That non-appearance of the applicant and Counsel for the applicant was not intentional nor deliberate but due to the reason mentioned above.
5. That the applicant wants to restore the titled service appeal as if the case is not restored, the applicant would suffer irreparable loss, hence this application for restoration of the titled service appeal.
6. That the superior courts are of the view that the cases should be decided on its merit rather the technicalities should be avoided.

In view of the above, it is therefore, most humbly prayed that on acceptance of this application, the above tilted case may kindly be restored, to meet the ends of justice.

Dated: 19-09-2023

Appellants

Through

MUTI UR REHMAN

&

HIDAYAT UR REHMAN

Advocates High Court Peshawar

BEFORE THE SERVICE TRIBUNAL PESHAWAR

Restoration No. _____/2023

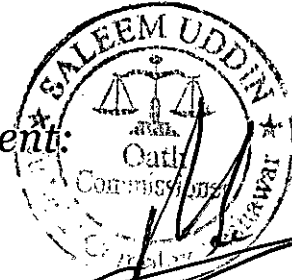
In Appeal No. 1486/2022

MIRAJ UD DIN
VERSES
GOVERNMENT OF KP AND OTHERS

AFFIDAVIT

I, Muti Ur Rehman Advocate R/O High Court Bar Room Peshawar, as per instruction of my client I do hereby solemnly affirm and declare on oath that all the contents of this Restoration Application are true and correct to the best of my knowledge and belief and nothing has been kept secret from this august court.

Deponent:



Muti Ur Rehman
Advocate High Court
CNIC. 42201-6951494-9
Contact # 0344-9704900

1



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

Service Appeal No. 1486/2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1400

Dated 21-9-2022

Miraj Uddin S/o Abdur Rashid, Senior Theology Teacher BPS-16
at GHS Werkup Tehsil Mastuj, District Chitral Upper.

..... **Appellant**

VERSUS

- 1) Government of Khyber Pakhtunkhwa, Through Chief Secretary, Civil Secretariat, Peshawar.
- 2) Government of Khyber Pakhtunkhwa, through Secretary Education, Civil Secretariat, Peshawar.
- 3) Government of Khyber Pakhtunkhwa, through Accountant General (AG) Peshawar.
- 4) District Education Officer (Male) District Chitral.
- 5) District Account officer (DAO), Chitral

..... **Respondents**

Filed-to-day
Registrar
21/9/2022

**SERVICE APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT,
1974 AGAINST THE IMPUGNED ORDER DATED
22.08.2022 WHEREBY; THE DEPARTMENTAL
APPEAL OF THE APPELLANT REGARDING THE
ANNUAL INCREMENT HAS BEEN REJECTED.**

ATTESTED

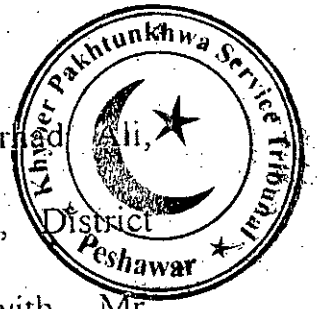
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Respectfully Sheweth: -

- 1) **That** the appellant belongs to a respectable family of District Chitral Upper and holds a Degrees / Sanads of

04.07.2023

Appellant in person present. Mr. Farid Ali, District Account Officer and Mr. Shakeel Ahmad, District Account Officer (Upper Chitral) alongwith Mr. Muhammad Jan, District Attorney for the respondents present.



Reply on behalf of respondents No. 3 & 5 submitted, which is placed on file. Copy of the same handed over to the appellant, who sought adjournment on the ground that his counsel is not available today due to strike of lawyers. Adjourned. To come up for preliminary hearing on 05.09.2023 before the S.B at Camp Court Swat. Parcha Peshi given to the parties.

(Salah-Ud-Din)
Member (J)
Camp Court Swat

Naeem Amin

S.A No.1486/2022

ORDER

5th Sept. 2023

Date of Presentation of Application 12/9/23
 Number of Words 2
 Copying Fee 10/-
 Urgent 15/-
 Total 25/-
 Name of Copyist Shakeel Ahmad
 Date of Completion of Copy 12/9/23
 Date of Delivery of Copy 12/9/23

1. Nobody is present on behalf of appellant. Mr. Fazal Shah Mohmand, Additional Advocate General alongwith M/S Shakeel Ahmad, DAO and Muhammad Safdar, Senior Auditor for the respondents present.
2. This case was called for several times but nobody put appearance on behalf of the appellant till rising of the Court. Therefore, the appeal in hand is dismissed in default. Consign.
3. Pronounced in open Court at Camp Court, Swat under my hand and seal of the Tribunal on this 5th day of September, 2023.

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

(Kalim Arshad Khan)
Chairman

Naeem Shah

**LIST OF DB CASES FIXED BEFORE MR. KALIM ARSHAD KHAN, CHAIRMAN &
MR. AKBAR KHAN, MEMBER (EXECUTIVE)
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, AT CAMP COURT, SWAT
05/09/2023 (TUESDAY)**

ARGUMENTS – TRANSFER /STAY

S.NO.	APPEAL	YEAR	NAME	DEPARTMENT	NEXT DATE
1	7718	2021	Iftikhar-ud-Din	Judiciary	
2	1270	2023	INAYAT ULLAH	E&SE	

ARGUMENTS – OTHER

S.NO.	APPEAL	YEAR	NAME	DEPARTMENT	NEXT DATE
1	1318	2018	Iqbal Jehan	Finance	
2	1551	2018	Saeed Ahmad	Education	
3	1630	2021	Ahmad Khan	Agriculture	
4	7117	2021	Muhammad Ashraf	Education	
5	7395	2021	Naseema Bibi	Education	
6	11919	2020	Muhammad Jan & 08	Police	
7	621	2022	Mst.Bakht Pari	Education	
8	820	2022	Abdul Sattar	Forest	
9	1293	2022	SAR ZAMIN KHAN	Education	
10	1680	2022	NISAR AHMAD	E&SE	
11	1762	2022	BASHIR AHMAD	Police	
12	192	2023	SULTANAT KHAN	Forest	
13	373	2023	BAKHT MUNIR	Education	
14	594	2023	IKRAM UD DIN	Revenue	
15	751	2023	AYUB ZARIN	Higer Education	