


FORM OF ORDERSHEET

Court of _____

Misc. application No. 659/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	22/09/2023	<p>The Misc. application in Service Appeal No. 1365/2023 submitted today by Mr. Muhammad Ismail Khan through Mr. M. Asif Yousafzai Advocate. It is fixed for hearing before Single Bench Bench at Peshawar on <u>28-09-2023</u>. Original file be requisitioned.</p> <p>By the order of Chairman  REGISTRAR</p>

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR.

Misc. Application No. 659/2023

Service Appeal No. 1365/2023

Shakel Ahmad

V/S

Govt: of KPK etc.

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2.	Affidavit	----	03
3.	Copy of order sheet 02.08.2023	---A---	04-7

Private Respondents No. 5-12

THROUGH:

(M. ASIF YOUSAFZAI)

ADVOCATE SUPREME COURT
OF PAKISTAN.

(S. NOMAN ALI BUKHARI)
PESHAWAR HIGH COURT

(HILAL ZUBAIR)
ADVOCATE

Room No.FR-08, 4th Floor,
Bilour Plaza Peshawar Cantt:
Cell # 0333910324

①

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR.

MISC. Appli. No. 659/2023

Service Appeal No. 1365/2019

Shakel Ahmad s/O Khurshid Ali,
R/o Buner, Assistant Director,
Provincial HQrs Govt: of KP, Sports, Tourism,
Archeology, Museum of Youth Affairs Deptt,
Presently serving Regional Sports Officer Malakand at Swat.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 7796

Dated 22/09/23

APPELLANT

V/S

1. Director General, Sports, KP, Peshawar.
2. Chief Secretary, Govt: KP, Peshawar.
3. Secretary Sports, KP, Peshawar.
4. Deputy Director, Sports, KP, Peshawar.
5. Muhammad Ismail Khan, District Sports Officer,
Lakki Marwat.
6. Tariq Muhammad, District Sports Officer, Swabi.
7. Asad Khan, Assistant Director, Peshawar Sports Complex.
8. Ahmad Zaman, District Sports Officer, Mansehra.
9. Munir Abbas, District Sports Officer, Peshawar Sports Complex.
10. Kashif Farhman, Assistant Director, Peshawar Sports Complex.
11. Hazrat Ullah, District Sports Officer, Hangu.
12. Gul Rukh Gulfam, Assistant Director,
District Sports Office, Peshawar Sports Complex.

RESPONDENTS.

.....

**APPLICATION FOR SETTING ASIDE THE EX-
PARTE ORDER DATED 02.08.2023 AGAINST THE
PRIVATE RESPONDENTS NO. 5-12 IN ABOVE
MENTIONED APPEAL.**

.....

RESPECTFULLY SHEWETH:

(2)

1. That the appellant has filed the above mentioned appeal which is pending before this august Tribunal and fixed for 20.10.2023.
2. That previously the case was admitted for regular hearing and next date was given as 02.08.2023 for which the notice has been issued to the private respondents for the date fixed but the notices was not served upon the private respondents due to which the private respondents can not attend the Court on 02.08.2023 for that reason the ex-parte order was passed against the respondents on 02.08.2023 and next date was given as 21.09.2023.
3. That today on 21.09.2023 when the private respondents alongwith counsel appeared before this august Tribunal for submission of Vakalat nama and was surprise to know that on 02.08.2023, the case was decided ex-parte against the private respondent NO. 5-12. **Copy of order sheet dated 02.08.2023 is attached as Annex-A.**
4. That the private respondents received the attested copy of the order dated 02.08.2023 today and filing this application for setting-aside the ex-parte order.

It is, therefore, most humbly prayed that on acceptance of this application the ex-parte order against the private respondent No. 5-12 may kindly be set-aside in interest of justice and give a chance to submit their reply before this Honorable Tribunal.

Private Respondents No. 5-12

THROUGH:

(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT
OF PAKISTAN.

(S. NOMAN ALI BUKHARI)
PESHAWAR HIGH COURT

&
(HILAL ZUBAIR)
ADVOCATE

AFFIDAVIT

3

It is affirmed and declared that the contents of the above application are true and correct to the best of my knowledge and belief and nothing has been concealed from the Honorable Tribunal.

[Signature]
DEPONENT

ATTESTED
Gul Daraz Khan
Call
Commissioner
Advocate High Court
[Signature]

A (43)

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR

S.A No. 1285/2023

Shakel Ahmad S/O Khurshid Ali,
R/O Buner, Assistant Director,
Provincial Headquarter, Govt. of
KP, Sports, Tourism, Archeology,
Museum of Youth Affairs Department,
Peshawar, Presently serving Regional
Sports Officer Malakand at Swat



Appellant

VERSUS

1. Director General, Sports, KP
Peshawar.
2. Chief Secretary, Govt. of KP,
Peshawar.
3. Secretary Sports, KP,
Peshawar.
4. Deputy Director, Sports,
KP, Peshawar.
5. Muhammad Ismail Khan,
District Sports Officer,
Lakki Marwat.
6. Tariq Muhammad, District
Sports Officer, Swabi.
7. Asad Khan, Assistant Director,
Peshawar Sports Complex.

ATTESTED

[Signature]
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

3

2

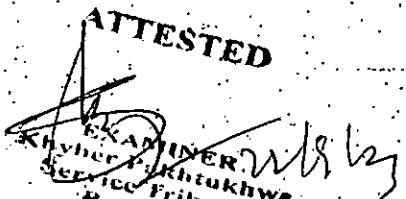
- 9. Amjad Zaman, District Sports Officer, Manshera.
- 10. Munir Abbas, District Sports Officer, Peshawar Sports Complex.
- 11. Kashif Farhan, Assistant Director, Peshawar Sports Complex.
- 12. Hazrat Ullah, District Sports Officer, Hangu.
- 13. Gul Rukh Gulfam, Assistant Director, District Sports Office, Peshawar Sports Complex

Respondents

APPEAL U/S 4 OF THE SERVICE TRIBUNAL ACT, 1974
AGAINST THE FINAL SENIORITY LIST OF ASSISTANT
DIRECTOR, DISTRICT SPORTS OFFICER AND
ADMINISTRATOR BPS-17 STOOD ON 18-01-2023
ISSUED VIDE COVERING LETTER DATED 27-01-2023
AND AGAINST NOT TAKING ACTION ON THE
REPRESENTATION DATED 17-03-2023.

Respectfully Sheweth:

- 1. That appellant was initially inducted in the department in the year 2008 and lastly promoted to the post of Assistant Director from the post of Budget and Account Officer B-16 through DPC/PSB on 28-05-2019.
- 2. That department maintain combine seniority list of Assistant Director, Director Sports Officer and Administrators B-17 according to the rules of 2019 as all these posts having same cadre in the department. (Copy as annex "A")

ATTESTED

EXAMINER,
Khyber Pakhtunkhwa
Service Tribunal

FORM OF ORDER SHEET

Court of _____

Appeal No. 1365/2023



S.No. Date of order proceedings

1 2

Order or other proceedings with signature of judge

3

1- 16/06/2023

**SCANNED
KPST
Peshawar**

The appeal of Mr. Shakeel Ahmad presented today by Mr. Saadullah Khan Marwat Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 20.06.2023.


By the order of Chairman


REGISTRAR

20.06.2023

Learned counsel for the appellant present and heard.

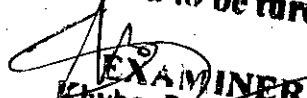
Let pre-admission notice be issued to the respondents through TCS for submission of reply/comments and to come up for preliminary hearing on 02.08.2023 before the S.B. Appellant shall deposit the expenses of TCS with seven days. Parcha Peshi given to learned counsel for the appellant.


(Salah-Ud-Din)
Member (J)

**SCANNED
KPST
Peshawar**

Naeem Amin

Certified to be true copy


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

21/9/23

A. No. 1265/2023 (7)
Shakeel Ahmad vs Govt



02.08.2023

Appellant alongwith his counsel present. Mr. Fazal Shah

Mohmand, Additional Advocate General alongwith Mr. Ishfaq Ahmed, (Litigation) for official respondents No. 1 to 4 present. None present on behalf of private respondents despite issuance of proper notice, hence they are placed ex-parte.

Reply/comments on behalf of official respondents not submitted. Representative of official respondents requested for time to submit reply/comments. Granted. To come up for reply/comments on 21.09.2023 before S.B. P.P given to the parties.

Certified to be true copy

[Signature]
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

(Muhammad Akbar Khan)
Member (I)

Kamranullah

Date of Presentation of Application 21-9-23
Number of Words 2-9
Copying Fee 10/-
Urgent 9/-
Total 19/-
Name of Copyiest _____
Date of Completion of Copy 21-9-23
Date of Delivery of Copy 21-9-23

VAKALAT NAMA

NO. 1365/2023

IN THE COURT OF KP Service Tribunal, Peshawar

Shakeel Ahmad

(Appellant)
(Petitioner)
(Plaintiff)

VERSUS

D. G. Sparto

(Respondent)
(Defendant)

I/We, Respondent No 5-12

Do hereby appoint and constitute **Mr. M. Asif Yousafzai, ASC** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated 21/9/2023

~~(CLIENT)~~

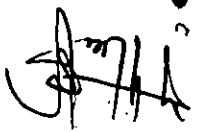
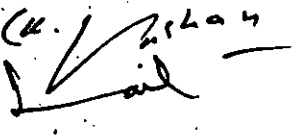



~~Respondent No. 9~~

ACCEPTED

M. ASIF YOUSAFZAI, ASC,

SYED NOMAN ALI BUKHARI
Advocate High Court Peshawar

Hilal Zubair Advocate
Peshawar.

1. Asad Khan (Respondent No. 7) 
2. Kashif Farhan (Respondent No. 10)
3. Muhammad Ismail (Respondent No. 5) M. 
4. Tariq Muhammad (Respondent No. 6) 
5. Ahmad Zaman (Respondent No. 8) 
6. Kashi Hadratullah (Respondent No. 11) 
7. Gul Lakh Gulferi (Respondent No. 12) 