


FORM OF ORDER SHEET

Court of _____

Restoration Application No. 661/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	25.09.2023	<p>The application for restoration of Appeal no. 1762/2022 submitted today by Mr. Mir Zaman Safi Advocate. It is fixed for hearing before Division Bench at Peshawar on <u>26-09-2023</u>. Original file be requisitioned.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The restoration application of Bashir Ahmad Ex-Constable No. 1093 Police Line Dir Lower at Timergra received today i.e. on 13.09.2023 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. 3201 /S.T.

Dt. 14/9 /2023.

 14/9/23

REGISTRAR
KHYBER PAKHTUNKWA
SERVICE TRIBUNAL
PESHAWAR

Mr. Mir Zaman Safi Adv.
Hogh Court Peshawar.

So,

Re-submitted after compliance.

M. Zaman
25/09/2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Restoration **PESHAWAR** *Appli no-661/2023*

C.M. No. _____/2023

IN

APPEAL ON. 1762/2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. *7460*

Dated *13/9/2023*

BASHIR AHMED

V/S

POLICE DEPTT:

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APPELLANT

THROUGH: *M. Zaman Safi*

**MIR ZAMAN SAFI
ADVOCATE**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR
Restoration Appli. No. 661/2023
C.M. No. _____/2023

**IN
APPEAL ON. 1762/2022**

Mr: Bashir Ahmed, Ex-Constable No.1093,
Police Line, Dir Lower at Timergara.....**APPELLANT**

VERSUS

1. The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. The Regional Police Officer, Malakand Region at Saidu Sharif Swat.
3. The District Police Officer, District Dir Lower.....**RESPONDENTS**


**APPLICATION FOR RESTORATION OF THE ABOVE
MENTIONED APPEAL**

R/SHEWETH:

- 1- That, the above mentioned appeal was pending adjudication before this Honorable Tribunal in which 05-09-2023 date was fixed for hearing.
- 2- That appellant filed the above mentioned appeal against the impugned order dated 18.05.2015 whereby penalty of forfeiture of two years approved service has been imposed upon the appellant.
- 3- That the above mentioned service appeal was fixed for hearing on 05.09.2023 before this august Tribunal at Swat Bench for Arguments but Counsel for the appellant was busy at the Principle Bench of this august Service Tribunal at Peshawar and that reason he could not appear on the date mentioned above.
- 4- That due to non appearance of the Counsel for appellant the above mentioned appeal has been dismissed in default vide order dated 05.09.2023. **Copy of the order sheet is attached.**
- 5- That non-appearance of the appellant and Counsel for the appellant was neither deliberate nor intentionally but caused due to the above mentioned reason.

It is, therefore, most humbly prayed that on acceptance of the instant application the above title appeal may kindly be restored.

Dated: 13-09-2023.

APPELLANT
THROUGH: 
MIR ZAMAN SAFI
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

C.M. No. _____/2023

IN
APPEAL ON. 1762/2022

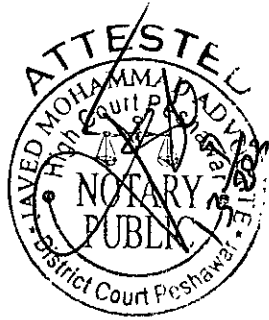
BASHIR AHMED

V/S

POLICE DEPTT:

AFFIDAVIT

I Mir Zaman Safi Advocate, High Court, do hereby solemnly affirm that the contents of this **application for restoration** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.




MIR ZAMAN SAFI
ADVOCATE



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

APPEAL NO. 1762/2022

Mr. Bashir Ahmed, Ex-Constable No.1093,
Police Line, Dir Lower at Timergara.....**APPELLANT**

VERSUS

1. The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. The Regional Police Officer, Malakand Region at Saidu Sharif Swat.
3. The District Police Officer, District Dir Lower.
4. The District Account officer, District Lower Dir.

.....**RESPONDENTS**

**APPEAL UNDER SECTION-4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974
AGAINST THE IMPUGNED ORDER DATED 18.05.2015
COMMUNICATED TO THE APPELLANT ON 25.07.2022
DURING THE COURT PROCEEDINGS IN APPEAL NO.
889/2018 WHEREBY MINOR PUNISHMENT OF
FORFEITURE OF TWO YEARS APPROVED SERVICE AND
ONE ANNUAL INCREMENT HAS BEEN AWARDED TO
THE APPELLANT AND AGAINST NO ACTION TAKEN ON
THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN
THE STATUTORY PERIOD OF NINETY DAYS.**

PRAYER:

That on acceptance of this appeal the impugned order dated 10.01.2018 may very kindly be set aside and forfeited service of two years may very kindly be restored with all back benefits, and the annual increment which has been stopped by the department may also be released w.e.f the date of withholding. Any other relief which this August Tribunal deems appropriate that may also be granted in favor of Appellant.

**R/SHEWETH:
ON FACTS:**

- 1) That the appellant was appointed as Constable in the respondent department and has served the respondent Department for quite considerable time quite efficiently and up to the entire satisfaction of his superiors.
- 2) That while posted at Police Station Haya Seri District Lower Dir had become ill and due to that reason, the appellant visited the District Headquarters Hospital Timergara for treatment. That after proper checkup the Doctor concerned advised complete bed rest to the appellant and on the

**EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar**

6th June, 2023

1. Nobody is present on behalf of appellant. Mr. Muhammad Jan, District Attorney for respondents present.

Note

2. Notice be issued to appellant and his counsel for 05.09.2023 for arguments before D.B at Camp Court, Swat P.P given to the respondents:

3
Arshad
19/6/23



(Muhammad Akbar Khan)
Member (E)
Camp Court, Swat

(Kalim Arshad Khan)
Chairman
Camp Court, Swat

S. Munazam Shah/2022

ORDER
5th Sept. 2023

1. Nobody is present on behalf of appellant. Mr. Muhammad Jan, District Attorney alongwith Mr. Zahir Shah, S.I (Legal) 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 our hands and seal of the Tribunal on this 5th day of September, 2023.

Munazam Shah

(Muhammad Akbar Khan)
Member (E)
Camp Court, Swat

(Kalim Arshad Khan)
Chairman
Camp Court, Swat

Certified to be true copy
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

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12/9/23

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Shahzad

12/9/23

12/9/23