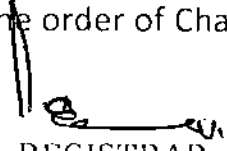


Form-A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Restoration Application No. **108/2023**

S.No	Date of order Proceedings	Order or other proceedings with signature of judge
1	27.02.2023	<p>The application for restoration of Appeal no. 1607/2022 submitted today by Syed Noman Ali Bukhari Advocate. It is fixed for hearing before Division Bench at Peshawar on . Original file be requisitioned. Parcha Peshi is given to appellant/counsel for the date fixed.</p> <p>By the order of Chairman  REGISTRAR</p>

Before KP Service Tribunal, Peshawar

Appeal No: 1607 & 1606 / 2022.

Zakeer Ahmad

vs

SMBR

Ghulam Raza

vs

SMBR.

Subject: Application for fixation of above mentioned appeal for restoration and principal seat Peshawar, in light of honorable chairmen KP Service Tribunal, Peshawar.

Respectfully submitted.

1. That the above mentioned Appeal is stay matter case and dismissed on default on 22/2/23.
2. that the cause for appellant file restoration application which needs to be fixed at principal Bench at Peshawar for hearing.

It is, therefore, most humbly requested kindly allowed this application and the ~~appeal~~ appeal for restoration may be fixed at principal Bench, Peshawar.

Applicant

through

Syed <sup>M. Farid</sup> Noman Ali Rulhwar  
Advocate High Court

Date: 27/2/23.

**BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL,**  
**PESHAWAR.**

*Restoration Application No. 107/2023*

APPEAL NO.1606/2022

Zaheer Ahmed S/O Muhammad Nazir Revenue  
Patwari Halqa PH Battal, District Mansehra.

Khyber Pakhtunkhwa  
Service Tribunal

File No. 3907

Date 27-2-2023

**APPELLANT**

**Versus**

**SCANNED**  
**KPST**  
**Peshawar**

1. Assistant Director, Land record KPK Peshawar.
2. Director Land Record KPK Peshawar.
3. Settlement Office Mansehra.
4. Senior Member Board of Revenue KPK Peshawar.

**Respondents**

**APPLICATION FOR RESTORATION OF APPEAL NO.**  
**1606/2022 WHICH WAS DISMISSED ON DEFAULT VIDE**  
**ORDER DATED 22.02.2023.**

**RESPECTFULLY SHEWETH:**

1. That the instant appeal No. 1606/2022 was filed before this Honorable Tribunal against transfer order. The appeal of the appellant was admitted for regular hearing and stay was also granted in favor of the appellant.
2. That appeal of the appellant was transferred to abottabad bench and fixed for 13/01/2023 for arguments. The counsel for the appellant appear before the bench and submitted wakaltnama on behalf of the appellants, on submission of the wakalt nama date was adjourned by the bench in open court and the next date was given as 28/03/2023 and counsel for the appellant leaves the court on direction of the bench and proceed to Peshawar. **(Copy of the cause list is attached as annexure-A).**
3. That on 13/01/2023 three case were fixed for counsel of the appellant included the Sadiq vs Health and in all three case the date was fixed for 28/03/2023.
4. That quite astonishingly the case was fixed on 22/02/2023 and no notice was given for the date fixed and the case was dismissed in default.

- 5. That if the date was change at the back of the appellant then notice should be given to appellant for the date change but not notice has been issued for the date changed.
- 6. That it is in the interest of justice that the appeal should be dealt on merit rather to dismiss on default because the valuable right of the appellant was involved.

It is therefore, most humbly prayed, that the instant appeal No. 1606/2022 may be restore to his original position on the acceptance of this application.

**APPELLANT**

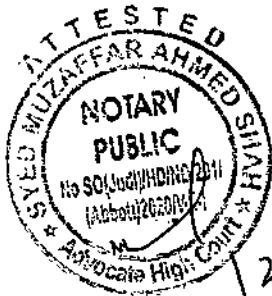
Through:

*[Signature]*  
 (SYED NOMAN ALI BUKHARI)  
 ADVOCATE, HIGHCOURT  
 PESHAWAR.

**AFFIDAVIT**

It is affirmed and declared that the contents of application are true and correct to the best of my knowledge and belief.

*[Signature]*  
**DEPONENT**



24.02.23

24/1/2023. (TUESDAY)

## ARGUMENTS

3

2

APPEAL	APPELLANT NAME	DEPTT	NEXT DATE
1020/18	PEER FAZLI HAKIM	EDU	28/3 (N)
1011/17	M SAHKEEL	FOREST	28/3-23
1101/17	M FARASH KHAN	FOREST	28/3-23
131/18	M BABAR	EDU	D.D
192/18	SHAHI KHAN (6)	EDU	28/3-23
1066/18	LIAQAT ALI	LG (N)	28/3-23
1112/18	M IQBAL	EDU	28/3-23
199/19	GOHAR NAZIR	EDU (N)	28/3-23
1977/19	SAFIA BIBI	EDU	28/3-23
1555/19	FARHAT NAZ	EDU	28/3-23
1486/19	M ARIF	EDU	28-3-23
7292/21	M SADIQ	HEALTH	28/3-23
7293/21	BILAL KHAN	HEALTH	28-3-23
6624/21	M SOHAIB	POLICE	28-3-23 N
3492/21	BAHADAR KHAN (4)	EDU	22.2.23
7515/21	SAHBIR AHMAD	EDU	28-3-23 N
7570/21	M BILAL	COMM	28-3-23
148/22	KHAWAJA WAQAR AHMAD	EDU	27-3-23
149/22	ABDUL RAZAQ AHMAD	EDU	27-3-23
1606/22	ZAHEER AHMAD	SMBR 22/2	28/3/23
1607/22	GHULAM RAZA	SMBR 22/2	28/3/23



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

*Appeal No. 1606/2022*

Zaheer Ahmad S/o Muhammad Nazir Rvenue Patwari  
Halqa, PH Battal, District Mansehra.

.....**PETITIONER**

**VERSUS**


1. Assistant Director, Land Record, KPK, Peshawar.
2. Director Land Record, KPK, Peshawar.
3. Settlement Office, Mansehra.
4. Senior Member of Revenue, KPK, Peshawar.

.....**RESPONDENTS**

**APPEAL AGAINST THE OFFICE ORDER NO. 4171-98 SO (M) DATED 28/10/2022, WHEREBY THE RESPONDENT NO. 3 TRANSFERRED THE PETITIONER FROM MOZA BATTAL AND POSTED AT MOZA JALLU AND THE OFFICE ORDER NO. IRV/SO/MANSEHRA/3400-3403 DATED 07/11/2022, WHEREBY THE RESPONDENT NO. 1 DISMISSED / FILED THE APPEAL OF THE PETITIONER.**

**Prayer:-**

**It is, therefore, prayed that the office order No. 4171-98-SO (M) at 28/10/2022 to the extent of petitioner at serial No. 11 and office order No. I-R-V/SO/Mansehra at 3400-3403 at 07/11/2022 be set aside and the**

**Certified to be true copy**  
  
**EXAMINER**  
**Kyber Pakhtunkhwa**  
**Service Tribunal**  
**Peshawar**

Appeal No. 1606/2022



22<sup>nd</sup> Feb, 2023

None present on behalf of the appellant. Mr. Muhammad

Adeel Butt, Additional Advocate General for official respondents

No. 1 to 4 and learned counsel for private respondent No. 5 present.

2. On previous date, learned counsel for the appellant requested for adjournment and he was given last chance for arguments. Today case was called for several times but nobody put appearance on behalf of the appellant till rising of the court, therefore, the appeal is dismissed in default. Consign.

3. Pronounced in open court in Abbottabad and given under our hands and seal of the Tribunal on this 22<sup>nd</sup> day of February, 2023.

(Salah-ud-Din)  
Member (J)  
Camp Court Abbottabad

(Kalim Arshad Khan)  
Chairman  
Camp Court Abbottabad

Certified to be true copy  
KHALIM ARSHAD KHAN  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of Application 27-2-2023  
Number of Page 2  
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Total 15/-  
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Date of Completion of Copy 27-2-2023  
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