


## FORM OF ORDER SHEET

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

Restoration Application No. 698/2023

| S.No. | Date of order Proceedings | Order or other proceedings with signature of judge   |
|-------|---------------------------|--|
| 1     | 2                         | 3  |
| 1     | 27.09.2023                | <p>The application for restoration of Appeal no. 573/2023 submitted today by Syed Noman Ali Bukhari Advocate. It is fixed for hearing before Division Bench at Peshawar on <u>02-10-2023</u>. Original file be requisitioned.</p> <p>By the order of Chairman</p> <p><br/>REGISTRAR</p> |

①

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

R.A NO: 698 /2023  
IN

APPEAL NO.573/2023

Khyber Pakhtunkhwa  
Service Tribunal

Case No. 7949  
Dated 27/09/23

Mr. Anwar-ul-Haq Constable NO:54/930,  
Dir Lower District.

**APPELLANT**

**VERSUS**

1. The Addl: inspector General of Police, HQrs Khyber Pakhtunkhwa, Peshawar
2. The Regional Police Officer Malakand Region, Saidu Sharif Swat.
3. The District Police Officer Dir Lower.

**RESPONDENTS**

**APPLICATION FOR RESTORATION OF APPEAL NO.**  
**573/2023 WHICH WAS DISMISSED IN DEFAULT VIDE**  
**ORDER DATED 05/09/2023.**

**RESPECTFULLY SHEWETH:**


1. That the instant appeal No. 573/2023 was filed before this Honorable Tribunal against the order dated 13/09/2021.
2. That the instant appeal was in Preliminary Hearing stage at Hon'able Camp Court, Swat the counsel for the appellant cannot attend the court due to busy schedule at principal Seat Peshawar and appellant was seriously ill. Therefore, inconvenience cause and the appeal was dismissed in default on 05.09.2023.
3. That when the counsel got knowledge about the Appeal then immediately file application for attested order sheet on 25/09/2023 for copy of the order dated 05/09/2023, which was handed over to the counsel for appellant on same date. Copy of the order is attached as annexure-A.

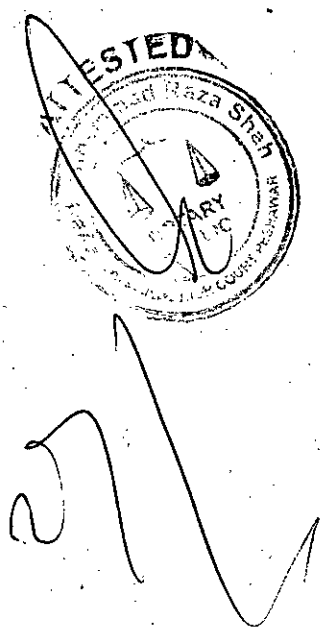
4. That it is in the interest of justice that the appeal should be dealt on merit rather to dismiss on default.

It is therefore, most humbly prayed, on acceptance of this application, the instant appeal No. 573/2023 may be restore in interest of justice.

**APPELLANT**

Through:

  
**SYED NOMAN ALI BUKHARI**  
ADVOCATE, HIGH COURT  
PESHAWAR.



BEFORE THE SERVICE TRIBUNAL PESHAWAR

**Appeal No. 573/2023**

Mr. Anwar Ul Haq

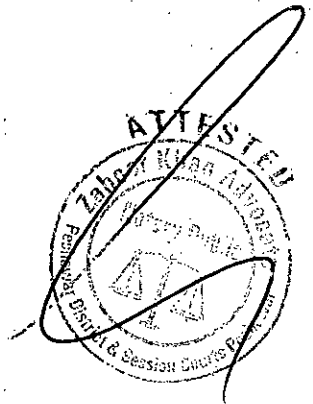
Versus

Police

**AFFIDAVIT**

I, Anwar Ul Haq do hereby affirm and declare on oath that the contents of the Instant Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

  
Deponent



25 SEP 2023

A (4) 1

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.

Appeal No. 573 /2023

Mr. Anwar-ul-Haq Constable NO:54/930,  
Dir Lower District.



APPELLANT

VERSUS

1. The Addl: inspector General of Police, HQrs-Khyber Pakhtunkhwa, Peshawar
2. The Regional Police Officer Malakand Region, Saidu Sharif Swat.
3. The District Police Officer Dir Lower.

RESPONDENTS

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APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL ACT, 1974 AGAINST THE APPELLATE ORDER DATED 04/11/2022 RECEIVED BY THE APPELLANT ON 18/12/2022 WHEREBY THE PENALTY OF ONE ANNUAL INCREMENT CONVERTED INTO CENSURE AND AGAINST THE PENALTY ORDER DATED 13/09/2021 WHEREIN THE INTERVENING PERIOD W.E.FROM 02.06.2021 TO 13/09/2021 WAS TREATED AS LEAVE WITHOUT PAY.

PRAYER:

.....

THAT ON ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 04/11/2022 AND 13/09/2021 MAY PLEASE BE MODIFIED TO THE EXTENT THAT INTERVENING PERIOD W.E.FROM 12/06/2021 TO 13/09/2021 FULL PAY WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT, MAY ALSO BE AWARDED IN FAVOR OF APPELLANT.

Certified to be true copy

25/9/23

Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

SA 573/2023

03<sup>rd</sup> July, 2023

Nemo for the appellant.

On previous date, nobody was present on behalf of the appellant and notices were ordered to be issued to him and his counsel for today. The record reveals that no such notice has been issued. Concerned official is once again directed to issue notices to the appellant and his counsel for the date fixed. To come up for preliminary hearing on 05.09.2023 before the S.B at Camp Court, Swat.

Noted  
16/09/23

SCANNED  
KPST  
Peshawar

\*Fazle Subhan, P.S\*

(Fareeha Paul)  
Member(E)  
(Camp Court, Swat)



05.09.2023 1. Nemo for appellant.

2. The appeal in hand was called on for hearing after various intervals, however, neither the appellant nor anyone else appeared on his behalf till the closing time, therefore, the appeal in hand stands dismissed in default.

3. *Pronounced in open court camp court Swat and given under our hand and seal of the Tribunal on this 05<sup>th</sup> day of September, 2023.*

Certified to be true copy

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

\*Kamramillah\*

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

25/9/23

Date of Presentation of Application 25/9/23  
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