


FORM OF ORDER SHEET



Court of _____

Restoration Application No. 707/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	03.10.2023	<p>The application for restoration of Appeal no. 689/2019 submitted today by Munfat Ali Yousafzai Advocate. It is fixed for hearing before Division Bench at Peshawar on _____ . Original file be requisitioned. Parcha Peshi is given to the counsel for the applicant.</p> <p style="text-align: right;">By the order of Chairman  REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Restoration Appli. no. 707/2023

In Service Appeal No. 689/2019

Khyber Pakhtunkhwa
Service Tribunal

NO. 7074

DATE 03/10/23

Mr. Atta Ur Rehman Ex-Junior Clerk at GHS Summri Payan Kohat
R/o Village Sherpo Mohallah Nazimabad, Tehsil Tangi District
Charsadda,

..... Appellant

VERSUS

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar Near GHSS No. 1 Peshawar.
2. Assistant Director Admin Elementary & Secondary Education Khyber Pakhtunkhwa Near GHSS No. 1 Peshawar City.
3. District Education Officer (Male) Kohat.
4. Government of Khyber Pakhtunkhwa through Secretary Education, Civil Secretariat Peshawar.
5. Accountant General, Khyber Pakhtunkhwa Peshawar.

..... Respondents

APPLICATION FOR RESTORATION OF THE
ABOVE SERVICE APPEAL WAS DISMISSED IN
DEFAULT BY THIS HON'BLE SERVICE
TRIBUNAL VIDE ORDER DATED 25/09//2023.

Respectfully Sheweth:

- 1) That the above mention Service Appeal was pending before this Hon' able Tribunal in which 25/09/2023 date was fixed for arguments.
- 2) That instant Service Appeal was dismissed in default due to the non-availability of appellant and his counsel.

- 3) That due to non-appearance of the council for the appellant on the date mentioned above the Service Appeal of the appellant has been dismissed and default by this Hon' able Tribunal vide order dated 25/09/2023. (Copy of the order sheet is attached).
- 4) That the appellant forgotten the date mistakenly as 26.09.2023 instead of 25.09.2023 date of hearing and due to that reason appellant and his council could not appear before this august Service Tribunal on the date fixed.
- 5) That non-appearance of the appellant and council was neither intentionally but due to the above mention reason.

It is, therefore, humbly prayed that on acceptance of this application, the Service Appeal may be restored and fixed for final arguments.

Dated 03/10/2023

Applicant / appellant

Through



**Munfat Ali
Advocate High Court,
Peshawar**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

In Service Appeal No. 689/2019

Mr. Atta Ur Rehman Ex-Junior Clerk at GHS Summri Payan Kohat
R/o Village Sherpo Mohallah Nazimabad, Tehsil Tangi District
Charsadda,

..... Appellant

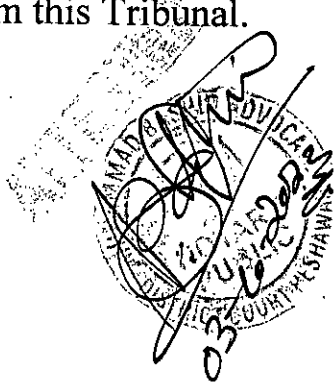
VERSUS


1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar Near GHSS No. 1 Peshawar.
2. Assistant Director Admin Elementary & Secondary Education Khyber Pakhtunkhwa Near GHSS No. 1 Peshawar City.
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5. Accountant General, Khyber Pakhtunkhwa Peshawar.

..... Respondents

AFFIDAVIT

I, Munfat Ali Yousafzai on instruction of my client do hereby solemnly affirmed and declare that the contents of this comments are true and correct to the best of my knowledge and belief and nothing has been concealed from this Tribunal.




DEPONENT

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR



Appeal No. 689 of 2019

Khyber Pakhtunkhwa Service Tribunal

Diary No. 716

Dated 7/5/2019

Atta ur Rehman, Ex- Junior Clerk at GHS Summri
Payan Kohat R/o Village Sherpao Mohallah
Nazimabad, Tehsil Tangi District Charsadda.

..... Appellant

VERSUS

- ✓ 1- Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar Near GHSS No.1 Peshawar City.
- ✓ 2- Assistant Director Admin Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar Near GHSS No.1 Peshawar City.
- ✓ 3- District Education Officer (Male) Kohat
- 4- Government of Khyber Pakhtunkhwa through Secretary Education, Civil Secretariat Peshawar.
- 5- Accountant General, Khyber Pakhtunkhwa Peshawar.

..... Respondents

Filed to-day

Registrar

7/5/19

Re-submitted to day and filed.

Sooraj
23/5/19

Registrar

APPEAL UNDER SECTION 4 OF KPK SERVICE TRIBUNAL ACT 1974 AGAINST THE ORIGINAL IMPUGNED ORDER DATED 16/082018 WHEREBY MAJOR PENALTY OF REMOVAL FROM SERVICE WAS IMPOSED UPON THE APPELLANT AND AGAINST THE ORDER DATED 01/04/2019 VIDE WHICH THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED.

ATTESTED

REGISTRAR
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Appeal No. 689/2019
Attarus Rahman vs Govt

25th Sep, 2023

1. Nobody present on behalf of appellant. Mr. Fazal Shah Mohmand learned Additional Advocate General for respondents present.

2. Called several times till last hours of the court but nobody turned up on behalf of the appellant. In view of the above, the instant service appeal is dismissed in default. Consign.

3. Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 25th day of September, 2023.

(Muhammad Akbar Khan)
Member (I)

(Rasmda Bano)
Member (I)



*Kaleem Ullah

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

03-10-23

Date of Presentation of Application 27-9-2023
Number of Words Pages = 2
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بعدالت

حیدر نختوں فو اہ اس نر سول سٹا پر

2 منجانب

بنام

مدعا الرحمن

صمد صمد

مورخہ

مقدمہ

دعویٰ

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام سید کیلئے منصفہ کل لوسٹ

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز

وکیل صاحب کو راضی نامہ کرنے ق تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور

بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق

زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی

اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا محتاج ہوگا۔ از بصورت ضرورت

مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے

تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکور با اختیارات حاصل ہوں گے

اور اس کا ساختہ پر داختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے

سبب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔

کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

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ہا

المرقوم
Allesu
Pupra

واہ العبد