


FORM OF ORDER SHEET

Court of _____

Restoration Application No. 753/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	12.10.2023	<p>The application for restoration of Appeal no. 1368/2023 submitted today by Mr. Aftab Hussain Butt Advocate. It is fixed for hearing before touring Single Bench at Swat on _____ . Original file be requisitioned.</p> <p>By the order of Chairman  REGISTRAR</p>

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

C.M.No. Restoration Application No-753/2023
/2023

In service Appeal No. 1368/2023

Noor Ul Wahab.....Appellant

VERSUS

Govt & others.....Respondents


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Dated: 12-10-2023


Appellant

Through


Aftab Hussain Butt
Advocate High Court

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BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

C. M. No Restoration Application NO 753/2023
/2023

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 8261

Service Appeal No: 1368/2023

Dated 12-10-2023

Noor Ul Wahab S/o Abdul Maujood (Ex-Sanitary Inspector)R/o
Liloni, Tehsil Alparai, District Shangla.

.....Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa Through Secretary Health Department, Khyber Pakhtunkhwa Peshawar.
2. Director General Health Services, Government of Khyber Pakhtunkhwa Peshawar.
3. District Health Officer District Shangla, at Alporai.
4. Muhammad Ibrahim (Sanitary Inspector) DHO Office Shangla.

.....Respondents

**APPLICATION FOR THE RESTORATION OF TITLED
APPEAL**

Respectfully Submitted:-

1. That the above titled Appeal was pending before this honorable Tribunal which has been dismissed in default on 02-10-2023. (Copy of order dated 02-10-2023 as enclosed is Annexure "A")
2. That actually the appellant was of the view that date is fixed on 03-10-2023 but when the appellant came to this honorable Tribunal he was told that his appeal has been dismissed in default and the same day he filed application for attested copy of the order of this honorable Tribunal.
3. That the absence was not willful and deliberate rather the same was due to the mentioned misunderstanding.
4. That the law as well as the superior Courts also favors decisions of cases on merit instead of technicalities.
5. That instant application is well within time and the valuable rights of the appellant are involved besides there is no bar on restoration of titled appeal.

Prayer:

It is therefore prayed, that on acceptance of this application, the mentioned appeal may kindly be ordered to be restored.

Dated:-12-10-2023

[Signature]
Appellant

Through

[Signature]
Aftab Hussain Butt
Advocate High Court

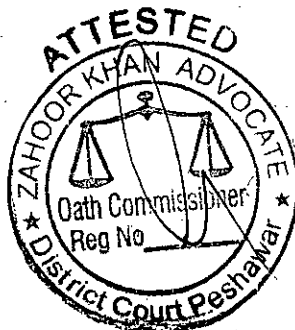
AFFIDAVIT:-

I, Noor Ul Wahab S/o Abdul Maujood (Ex-Sanitary Inspector)R/o Liloni, Tehsil Alparai, District Shangla, do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and that nothing has be concealed from this honorable Tribunal.

Identified by

[Signature]
DEPONENT

[Signature]
Aftab Hussain Butt
Advocate High Court



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BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. 1368 of 2023

Noorul Wahab S/O Abdul Maujood (Ex-Sanitary Inspector) R/O
Lilonai, Tehsil Alporai, District Shangla.

... Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Health Department, Khyber Pakhtunkhwa at Peshawar.
2. Director General Health Services, Government of Khyber Pakhtunkhwa at Peshawar.
3. The District Health Officer District Shangla, At Alporai.
4. Muhammad Ibrahim (Sanitary Inspector) DHO Office Shangla.

... Respondents

**SERVICE APPEAL UNDER SECTION 4 OF SERVICE TRIBUNAL
ACT, 1974.**

Prayer:

On acceptance of this service appeal, the impugned order No. J51-58/DHO/SH dated 20.02.2023 of Respondent No.3 whereby the appellant has been transferred and relieved from performing his duties as Sanitary Inspector BPS.14, may kindly be declared null and void upon the rights of the appellant, be struck down and the respondents may please be directed to restore the appellant on the post of Sanitary Inspector with all back benefits.

Any other relief not specifically prayed but this august Tribunal deems proper may also be granted.

Respectfully Sheweth:

1. The appellant, being a bonafide resident of Lilonai, District Shangla, has diligently and satisfactorily served in the

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EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

2/10/23

Noor ul Wahab vs Gailly



02.10.2023

1. Nobody present on behalf of the appellant.

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 at Swat and given under my hand and seal of the Tribunal on this 2nd day of October, 2023.

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

(Rashida Bano)
Member (J)
Camp Court, Swat

*KaleemUllah

Date of Presentation of Application 12-10-23
 Number of Words Page 2
 Copying Fee 10/-
 Urgent 5/-
 Total 15/-
 Name of Copyiest Shahzad
 Date of Completion of Copy 12-10-23
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