Form-A

FORM OF ORDER SHEET

Court of

Restoration Application No. 796/2023

S.No.	Order or other proceedings with signature of judge			
·1	Proceedings 2			
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1	7.4.0.000			
1	24.10.2023	The application for restoration of Appeal no		
		510/2019 received today by registered post through		
	9	Muhammad Abdullah Baloch Advocate. It is fixed for		
	•	hearing before touring Division Bench at D.I.Khan		
		onOriginal file be requisitioned.		
		By the order of Chairman		
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BEFORE SERVICE TRIBUNAL, PESHAWAR CAMP

In Service Appeal No: 510/D of 2019.

Muhammad SajidSaleem

versus

Govt; of KPK etc

INDEX

No.	Particulars	Annexure	Pages
1	Application along with affidavit.		1-3
2	Copy Of Service appeal and order dated 16/10/2023	A& B	4-5
3	Copy of Strike notice	C .	6
4	Wakalatnama		7

Dated;___/10/2023

YOUR HUMBLE APPLICANT

Muhammad Sajid Saleem

Through Counsel

MUHAMMAD ABDULLAH BALOCH

Advocate Supreme Court.

BEFORE SERVICE TRIBUNAL, PESHAWAR CAMP

4(8)

In Service Appeal No: 510/D of 2019.

24-10-2023

Muhammad Sajid Saleem s/o Haji Obaidullah, Resident of Qasuria Town D IKhan presently posted as Tehsildar DIKhan.

(Applicant/appellant)

VERSUS

- 1. Government of KPK through the Chief Secretary Government of KPK, Peshawar.
- 2. The Senior Member Board of Revenue, Khyber Pakhtunkhwa, Peshawar.

(Respondents)

SERVICE APPEAL



APPLICATIONFOR RESTORATIONOF SERVICE APPEAL NO. 510/D OF 2019, UNDER RULE 19(3) OF SERVICE TRIBUNAL RULES, 1974 READ WITH ALL ENABLING PROVSIONS FOR THE TIME BEING ENFORCED, AS THE SEVICE APPEAL WAS DISMISSED DUE TO FAILER OF PARTY TO APPEAR

Respectfully Sheweth,

1. That the above mentioned appeal No. 510/D of 2019 titled "Muhammad SajidSaleemvsGovt of KPK etc" had been pending before this Worthy ServiceTribunal. After submission of reply from respondent's side, the said



appeal was fixed on 16/10/2023 for arguments before the Honourable Service

Tribunal Camp Dera Ismail Khan.

- 2 That on the date fixed (16/10/2023), in compliance of press release issued by Khyber PakhtunKhuwa Bar Council, the respective District Bar Association and High Court Bar Associations observedstrike. District Bar Association and High Court Bar Association DIKhan also declared strike on 16/10/2023. As the lawyers were observing strike, therefore, counsel for appellant could not appear before the court. However, clerk of the Counsel marked his attendance before the Worthy Service Tribunal. Similarly the appellant having a nature of fieldjob remained mostly in field for collection of land revenue etc. Therefore, the appellant also could not reach in time before the worthy Service Tribunal. And due to this reason appeal was dismissed in default.
- 3. That the service appeal of the appellant had become ripe and valuable rights of the appellant are involved therein. The absence was not intentional but due to the unavoidable circumstances, which may kindly be considered as sufficient cause and service may kindly be restore.
- 4. That this application is well within time, and this Hoonourable Service Tribunal is graciously requested that appeal may kindly be restored.
- 5. That this Honorable Court has vast power to accept the instant application.

3

It is therefore prayed that on acceptance of this application the appeal of applicant/appellant may kindly be restored.

Dated; /10/2023

YOUR HUMBYE APPLICANT

Muhammad Sajid Saleem

Through Counsel

MUHAMMAD ABDULLAH BALOCH

Advocate SupremeCourt.

AFFIDAVIT

I, Muhammad SajidSalcem, applicant/ appellant, do hereby solemnly affirms and declare on OATH that contents of application are true and correct to the best of my knowledge and belief and that nothing has been concealed from this

honorable Tribunal.

DEPONANT

12201-1880240-7

cel m, 031.9841515

Dated:- /10/2023

SEFORE THE SERVICE TRIBUNAL KHYBER PAKH PESHAWAR

Service Appeal No.

Muhammad Sajid Saleem S/O Haji Obaidullah R/O Qasuria D.I.Khan Presently posted as Naib Tehsildar Paharpur, District D.I.Khan

.....Appellant

VERSUS

- 1. The Government of Khyber Pakhtunkhwa through the Chief Secretary Government of Khyber Pakhtunkhwa, Peshawar.
- 2. The Senior Member Board of Revenue, Pakhtunkhwa, Peshawar.Respondent(s)

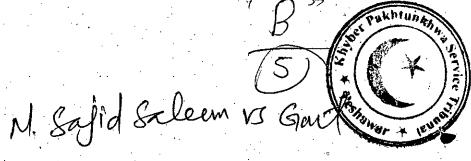
Filedto-day

APPEAL UNDER SECTION 4 OF THE Khyber PAKHTUNKHWA SERVICE TRIBUNAL 1974, FOR . GRANT OF PROMOTION SENIORITY WITH EFFFECT FROM THE DATE Certified to be ture copy OF AVAILABILITY OF VACANCY ELEGIBILITY FOR **PROMOTION**

APPELLANT AGAINST THE SAME.

Respectfully Sheweth,

1. That The Constitution of Islamic Republic of Pakistan aims at protecting civil servants in order to ensure smooth running of affairs of the Government and Institutions so as to benefit the public citizenry.



ORDER: 16th Oct. 2023

Nobody is present on behalf of appellant. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

- Although, lawyers are on strike, but the appellant is not present. Therefore, the appeal in hand is dismissed in default. Consign.
- Pronounced in open Court at D.I.Khan given under our 3. hands and seal of the Tribunal on this 16th day of October, 2023.

(Salah-Ud-Din)

Member (J)

*Mutazem Shah *

(Kalim Arshad Khan) Chairman ' Camp Court, D.I.Khan

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DISTRICT BAR ASSOCIATION

DERN ISANT ICHON



VICE PRESIDENT

Muhammad Shakeel Safdar Advocate High Courf Mobile #0346-7856663

Ref #

Dated:16-10-2023

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JOINT SECRETARY

PRESIDENT Muhammad Irlan

Mayreate High Court

Matric # 0346 9490769

M.Bilal Alizai Advocate High Court 0336-7235129

SECRETARY LIBRARIAN

Qaisar Zeb Khan Advocate High Court 0340-0908927

تمام معزز وكلاء وسٹر كٹ بار ايسوسي ايشن ڈير ہ اسمعيل خان كو مطلع کیاجاتاہے کہ KPK بار کونسل کی کال پر اترج مور خە 2023-10-16 بروز سوموار كو فلسطينى عوام سے بطور اظہار سیجہتی اور اسرائیلی بربریت کے خلاف کمل عدالتی ہڑ تال کا اعلان کر دیاہے۔

کوئی بھی و کیل عد التی کاروائی میں حصبہ نہیں لے گا۔ نائب صدر ڈسٹر کٹ بار ۇيرەاسىغىل خان

صدر ڈسٹر کٹ بار ذيره استعيل خان

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