


FORM OF ORDER SHEET

Court of _____

Restoration Application No. 802/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	31.10.2023.	<p>The application for restoration of Appeal no. 2044/2023 submitted today by Malik Shahbaz Khan Advocate. It is fixed for hearing before Single Bench at Peshawar on _____. Original file be requisitioned. Parcha Peshi is given to the counsel for the applicant.</p> <p>By the order of Chairman</p>  REGISTRAR

BEFORE THE SERVICE TRIBUNAL PESHAWAR.

Service Appeal No 2044/2023

Restoration No 802 /23

Amir Zada S/o Bahadar Khan Sub Division Officer (OPS) P.H.E Sub
Division Charsadda R/o Qasim (Toru) Tehsil and District Mardan.

..... Appellant/Petitioner

VERSUS

1. The Government of Khyber Pakhtunkhwa through Chief Secretary
Khyber Pakhtunkhwa Peshawar.
2. The Secretary Public Health Engineering Department KPK Peshawar.
3. Asghar Ali Khan SDO PHE Sub Division Tangi.

..... Respondents

INDEX

S.No.	Description of documents	Annexure	Pages
1.	Copy of petition alongwith affidavit		
2.	Copy of order	A	
3.	Wakalat Nama		1

Petitioner

[Handwritten signature]
31/10/2023

Through

[Handwritten signature]
Malik Shahbaz Khan
Advocates High Court Peshawar

BEFORE THE SERVICE TRIBUNAL PESHAWAR

Service Appeal No 2044/2023

In

Restoration No _____/23

Khyber Pakhtunkhwa
Service Tribunal

Entry No. 8738

Dated 31-10-2023

Amir Zada S/o Bahadar Khan Sub Division Officer (OPS) P.H.E Sub
Division Charsadda R/o Qasim (Toru) Tehsil and District Mardan.

..... Appellant/Petitioner

VERSUS

1. The Government of Khyber Pakhtunkhwa through Chief Secretary
Khyber Pakhtunkhwa Peshawar.
2. The Secretary Public Health Engineering Department KPK Peshawar.
3. Asghar Ali Khan SDO PHE Sub Division Tangi.

..... Respondents

**Application for restoration of the above mention
service appeal No. 2044/2023 which has been
dismissed and default on 26.10.2023 unfortunately**

Respected Sir.

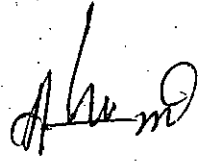
1. That the above mentioned service appeal was pending before this Hon'able
Tribunal which was fixed on 31.10.2023.
2. That this Hon'able Tribunal dismiss in default the above titled service
appeal on 26.10.2023 unfortunately. (Copy of order is attached as
Annexure-A).
3. That the appellant came to know regarding the order dated 26.10.2023 on
31.10.2023 where the appellant came to appear before the court.

4. That there is ^{no} any negligence of the appellant.


5. That the instant application is well with in time.

It is therefore, most humbly prayed that on acceptance of the instant application the instant service appeal may kindly be restore.

Dated 31.10.2023


Petitioner

Through


Malik Shahbaz Khan

Advocates High Court Peshawar

BEFORE THE SERVICE TRIBUNAL PESHAWAR

Service Appeal No 2044/2023

Restoration No _____/23

Amir Zada S/o Bahadar Khan Sub Division Officer (OPS) P.H.E Sub Division Charsadda R/o Qasim (Toru) Tehsil and District Mardan.

..... Appellant/Petitioner

VERSUS

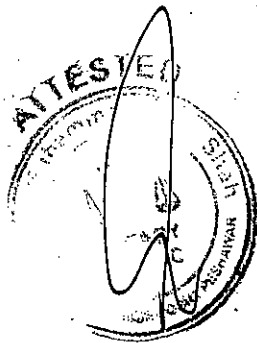
1. The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa Peshawar.
2. The Secretary Public Health Engineering Department KPK Peshawar.
3. Asghar Ali Khan SDO PHE Sub Division Tangi.

..... Respondents

AFFIDAVIT

I, Amir Zada S/o Bahadar Khan Sub Division Officer (OPS) P.H.E Sub Division Charsadda R/o Qasim (Toru) Tehsil and District Mardan 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



Attested
M. Daraz
Malik Shahid Khan
Adarada

Amir Zada (A)

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUN KHWAPESHAWAR

Service Appeal No. 2014 /2023

Amir Zada S/O Bahadar Khan Sub Divisional Officer
(OPS) P H E Subdivision Charsadda R/O Qasim (Tori)
Tehsil & District Mardan



(Appellant)

V/S

1. The Government of Khyber Pakhtoon Khwa through Chief Secretary Khyber Pakhtoon Khwa Peshawar
2. The Secretary Public Health Engineering Department KPK Peshawar
3. Asghar Ali Khan SDO PHE Sub division Tangi.

(Respondents)

A. *Service appeal under section-4 of Khyber Pakhtun Khwa Peshawar for service tribunal Act,1974 against the impugned Notification vide NO.SO (Est)/PHED/1-44/22 dated.19/07/2023 where by the appellant is transferred prematurely, politically motivated, & victimized and not in the public interest from the post of SDO PHE sub Davison Charsadda to PHE Sub Davison Tangi which is illegal, unlawful against Law facts and laid down Transferring/Posting policy of KPK Government vide Notification No.SOR-HE&ADII-1/85(VOL-11) Dated 15th February 2003. A departmental appeal was submitted to honorable Chief Secretary Khyber Pakhtoon Khwa Peshawar vide diary No.3295 dated 27/07/2023 against the impugned order 19/07/2023 which was considered and rejected vide order dated .29/08/2023*

Certified to be true copy

Khyber Pakhtoon Khwa
Service Tribunal
Peshawar

31/10/23

Appeal No. 2044/2023
Amir Zada vs Govt

26th Oct, 2023

1. None for the appellant present. Mr. Asad Ali Khan,
Assistant Advocate General for the respondents present.

2. On the previous date, the appellant was directed to
deposit expenses of TCS but today neither anybody is present
on behalf of the appellant nor expenses of TCS have been
deposited, therefore, the instant appeal is dismissed for non-
compliance of the court order. Consign.

3. *Pronounced in open court in Peshawar and given under
my hand and seal of the Tribunal on this 26th day of October,
2023.*

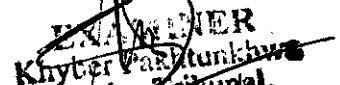

(Kalim Arshad Khan)
Chairman






Adnan Shah

Certified to be true copy

Date of Presentation of Application 31-10-2023
Number of words Page 2
Copying Fee 10/-
Urgent 5/-
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Date of Completion of Copy 31-10-2023
Date of Delivery of Copy 31-10-2023


Adnan Shah
Khyber Pakhtunkhwa
Service Tribunal
Peshawar
31/10/23

قیمت 50	17826	پشاور بار ایسوسی ایشن، خیبر پختونخوا
ایڈویٹ: <u>دک سہزار جان رٹنر وکیل</u>	بار کونسل ایسوسی ایشن نمبر: <u>AC-15-5633</u>	PESHAWAR BAR ASSOCIATION
رابطہ نمبر: <u>0301-8181033</u>		  

بعدالت جناب: سروس ٹریبونل ضلع کوٹاہ پشاور

AMR-2000	منجانب:	دعویٰ:
		علت نمبر:
		مورخہ:
		جرم:
		تھانہ:
باعت تحریر آنگہ		

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ
 آن مقام سروس ٹریبونل ضلع کوٹاہ پشاور کو وکیل مقرر
 کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کالچ اختیار ہوگا، نیز وکیل صاحب کو
 راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
 زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یا کسی طرفہ یا اپیل کی برآمدگی اور منسوخی، نیز
 دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ 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 وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پر داخلہ منظور و قبول ہوگا
 دوران مقدمہ میں جو خرچہ ہر جائز التوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے
 باہر ہو تو وکیل صاحب بابت نہ ہوں گے کہ پیروی مذکورہ کریں۔ لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

اصغر ارشد
 0301-7667994-3

المرقوم: 31/10/20
 اسٹریٹ واہ شد بد واہ شد بد واہ شد بد
 مقام سروس ٹریبونل ضلع کوٹاہ پشاور
 0333-9866037

E-mail: adv. malirshah.com@gmail.com