


Form-A

FORM OF ORDER SHEET

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

Restoration Application No. 836/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	21.11.2023	<p>The application for restoration of Appeal no. 1458/2022 submitted today Syed Noman Ali Bukhari 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  REGISTRAR</p>

①

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

R.A NO: 836 /2023  
IN

APPEAL NO.1458/2022

9274

21-11-2023

Mr Zaheen Khan Ex-Roadman S/o Wali Muhammad  
R/o Gomail P/o Nizam Pur, tehsil and District Nowshera.

Appellant

**VERSUS**

1. The Secretary Agriculture, Livestock, Fisheries & Cooperative Department, Khyber Pakhtunkhwa, Peshawa
2. The Director Water Farm Management, KP, Peshawar
3. The Director General, On Farm Water Management, Khyber Pakhtunkhwa, Peshawar.

Respondents .

**APPLICATION FOR RESTORATION OF APPEAL NO.  
1458/2022 WHICH WAS DISMISSED IN DEFAULT VIDE  
ORDER DATED 26/09/2023.**

**RESPECTFULLY SHEWETH:**

1. That the instant appeal No. 1458/2022 was filed before this Honorable Tribunal against the removal order.
2. That the instant appeal was in Preliminary Hearing stage at fixed on 26/09/2023 at Hon'able Service Tribunal. The counsel for the appellant properly attend the court but due to some issue the adjournment was sought for further preparation of the case which was properly granted and next date was given as 07/11/2023, which is evident from the cause list. **The copy of cause list is attached as annexure-A.**
3. That on 07/11/2023 the case was not fixed therefore the appellant query about the case and then on query it come to the knowledge of the counsel the appeal was dismissed in default on 26/09/2023. So, when the counsel got knowledge about the Appeal then file

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application for attested order sheet on 16/11/2023, which was handed over to the counsel for appellant on 20/11/2023. **Copy of the order is attached as annexure-B.**

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. 1458/2022 may be restore in interest of justice.

**APPELLANT**

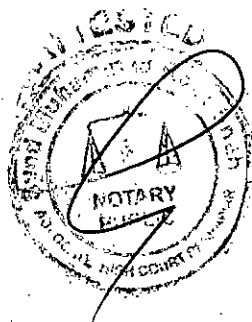
Through:

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

**AFFIDAVIT**

It is affirmed and declared that the contents of application are true and correct to the best of my knowledge and belief.

  
**DEPONENT**



A (3)

**LIST OF SB CASES FIXED BEFORE MS. FAREEHA PAUL, MEMBER (EXECUTIVE)  
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**

**26/09/2023 (TUESDAY)**

**PRELIMINARY HEARING – TRANSFER**

S.NO.	APPEAL	YEAR	NAME	DEPARTMENT	NEXT DATE
1	1931	2023	FARHAT GUL	E&SE	D/O: ✓ 10-10-23

**PRELIMINARY HEARING – OTHER**

S.NO.	APPEAL	YEAR	NAME	DEPARTMENT	NEXT DATE
1	1458	2022	ZAHLEN KHAN - <i>جیل</i>	AGRICULTURE	✓ 7-11-23
2	1533	2022	SAYED SHAH SAYED <i>R. Submitted.</i>	INDUSTRIES	✓ 13-10-23
3	308	2023	SHER AFSAR	E&SE	✓ 3-11-23
4	580	2023	JAMAL RASOOL - <i>199 11/23.</i>	POLICE	✓ 7-11-23
5	1065	2023	SAMAR KHAN <i>R. Submitted.</i>	PRISON	✓ 3-11-23
6	1466	2023	BAKHTAWAR SHAH - <i>فائل کو واپس</i>	LOCAL GOVT	✓ 7-11-23
7	1552	2023	YASEEN KHAN	POLICE	(A) ✓ 7-11-23
8	1555	2023	FAHIM JAN <i>سید</i>	POLICE	(A) ✓ 7-11-23
9	1742	2023	SIYARA BEGUM <i>سیارا بیگم</i>	HEALTH	(A) ✓ 7-11-23
10	1551	2023	SEEMA BEGUM	E&SE	✓ 3-11-23
11	1855	2023	TAJ NAWAZ	HEALTH	(A) ✓ 8-11-22
12	1929	2023	MOHEEN NAZAR	FOREST	(A) ✓ 7-11-23
13	1930	2023	GHULAM MUHAMMAD	FOREST	(A) ✓ 7-11-23
14	1932	2023	SHER AMAN	E&SE	✓ 12-11-23

**OFFICE OBJECTION**

S.NO.	NAME	DEPARTMENT	NEXT DATE
1	HABIB ULLAH	ESTAB	✓ 26-10-23
2	FAIZAN	POLICE	✓ 26-10-23

**APPLICATION**

S.NO.	APP. NO.	YEAR	S.A./E.P NO.	S.A. YEAR	NAME	DEPARTMENT	NEXT DATE
1	491 RA	2023	564	2023	BILAL AHMAD	POLICE	✓ 11-10-23
2	659 CM	2023	1365	2023	SHAKEEL AHAMD	SPORTS	<i>Restricted</i> ✓ 3-11-23

**EXECUTION PETITION**

S.NO.	E.P.NO.	YEAR	S.A. NO.	S.A. YEAR	NAME	DEPARTMENT	NEXT DATE
1	145	2023	11880	2020	SARFARAZ	EDU	<i>Assigned.</i> 26-10-23

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B ④

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 1458 /2022



Mr Zaheen Khan Ex-Roadman S/o Wali Muhammad  
R/o Gomail P/o Nizam Pur, tehsil and District Nowshera.

Appellant

VERSUS

1. The Secretary Agriculture, Livestock, Fisheries & Cooperative Department, Khyber Pakhtunkhwa, Peshawa
2. The Director Water Farm Management, KP, Peshawar
3. The Director General, On Farm Water Management, Khyber Pakhtunkhwa, Peshawar.

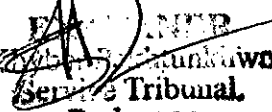
Respondents.

**APPEAL UNDER SECTION-4 OF THE CIVIL SERVANT ACT,  
1974 AGAINST THE ACT OF THE RESPONDENT NO. 2  
WHO ISSUED IMPUGNED ORDER DATED 30/04/1999  
WHEREBY SERVICE OF THE APPELLANT WAS  
TERMINATED WITH AND AGAINST NOT DECIDING  
DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN  
STATUTORY PERIOD OF 900 DAYS.**

**PRAYER IN APPEAL:**

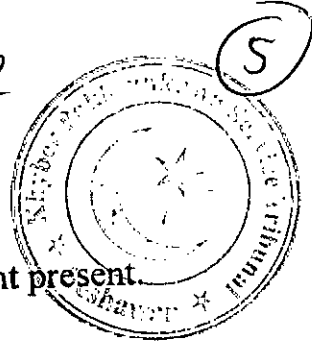
**ON ACCEPTANCE OF THIS APPEAL, THE IMPUGNED  
ORDER 30/04/1999, MAY PLEASE BE SET ASIDE AND  
RESULTANTLY THE APPELLANT MAY GRACIOUSLY BE  
REINSTATED IN SERVICE WITH ALL BACK BENEFITS IN  
LIGHT OF RULES OF CONSISTENCY AND LAW OF GOOD**

Certified to be true copy

  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

SA 108/22

Zaheer Khan vs Govt



26<sup>th</sup> Sept 2023

01. Clerk of learned counsel for the appellant present.

02. Despite last opportunity vide order sheet dated 16.05.2023 and two consecutive adjournments on 13.07.2023 and 16.08.2023, today again clerk of learned counsel for the appellant sought adjournment on behalf of learned counsel for the appellant which indicates that he is not interested in the case. The appeal in hand is, therefore, dismissed in default. Consign.

03. Pronounced in open Court in Peshawar and given under my hand and the seal of the Tribunal this 26<sup>th</sup> day of Sept. 2023.

(Fareeha Paul)  
Member (E)

\*Fazle Subhan, P.S\*

Certified true copy  
17/11/23  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of Application 16-11-2023  
Number of Words pages: 2  
Copying Fee 10/-  
Urgent \_\_\_\_\_  
Total 10/-  
Name of Copyist Shahzad  
Date of Completion of Copy 17-11-23  
Date of Delivery 20-11-23