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REGISTERED  
No. CMA.9865/2022 IN  
C.P.4204/2019 - SCJ  
**SUPREME COURT OF PAKISTAN**

Islamabad, dated 19-11- 2023

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From The Registrar,  
Supreme Court of Pakistan,  
Islamabad.

To The Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

**Khyber Pakhtunkhwa  
Service Tribunal**

Diary No. 9517

Dated 27-11-23

Subject: **CIVIL MISC. APPLICATION NO. 9865 OF 2022  
IN CIVIL PETITION NO. 4204 OF 2019**

Hidayat Ullah

Versus

The Director (E & SE) Department, Khyber Pakhtunkhwa, Peshawar &  
others

**On appeal from the Judgment/Order of the Khyber Pakhtunkhwa  
Service Tribunal, Peshawar dated 26/09/2019 in A.348/2019.**


Dear Sir,

In continuation of this Court's letter No.C.P.4204/2019-SCJ dated  
19/11/2022, I am directed to enclose herewith a certified copy of the Order/Judgment  
of this Court dated 23/10/2023 dismissing the above cited CMA in the terms stated  
therein for information and further necessary action.

Please acknowledge receipt of this letter along with its enclosure  
immediately.

Encl: Order/Judgment:

Yours faithfully,

  
(MUHAMMAD MUJAHID MEHMOOD)  
ASSISTANT REGISTRAR (IMP)  
FOR REGISTRAR

**IN THE SUPREME COURT OF PAKISTAN**  
**(Appellate Jurisdiction)**

**Bench-IV:**

Mr. Justice Syed Mansoor Ali Shah  
Mr. Justice Shahid Waheed

**C.M.A.9865/2022 IN C.P.4204/2019**  
*(Restoration application)*

Hidayat Ullah

**...Petitioner(s)**

*Versus*

The Director (E & SE) Department, Khyber Pakhtunkhwa,  
Peshawar, etc.

**...Respondent(s)**

For the petitioner(s): Mr. Arshad Hussain Yousafzai, ASC.  
Syed Rifaqat Hussain Shah, AOR.

For the respondent(s): N.R.

Date of hearing: 23.10.2023

**ORDER**

**Syed Mansoor Ali Shah, J.**- This is an application for restoration of the titled petition, which was dismissed for non-prosecution on 26.10.2022. We have noticed that the sole ground for maintaining the said application for restoration is that learned counsel for the petitioner was busy before Bench-III of this Court in another matter, however; neither the cause list for the aforesaid date has been attached with the application nor is it supported by an affidavit of the learned counsel. The application also does not disclose any reason for the absence of the learned AOR, as well as, the petitioner on the date of hearing. In this background, we find that there are no sufficient reasons for restoration of the titled petition. This application is, therefore, dismissed. *Set - J*

**Certified to be True Copy**

*[Signature]*  
**Court Associate**  
**Supreme Court of Pakistan**  
**Islamabad**

Islamabad,  
23<sup>rd</sup> October, 2023.  
Not approved for reporting  
*Iqbal/\**

