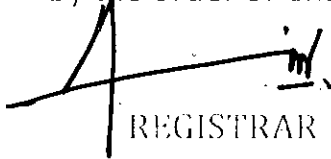


## FORM OF ORDER SHEET

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

Restoration Application No. 830/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	17.11.2023	<p>The application for restoration of Appeal no. 1361/2023 submitted today Syed Noman Ali Bukhari Advocate. It is fixed for hearing before touring Single Bench at Swat on _____. Original file be requisitioned.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

①

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

R.A NO: 830 /2023  
IN

APPEAL NO.1361/2023

Khyber Pakhtunkhwa  
Service Tribunal

Dist. No. 9217

Dated 17-11-2023

Nizam Khan, EX- Constable, No.40  
Distt: Swat.

.....Appellant

Versus

1. The Regional Police Officer, Malakand, Saidu Sharif, Swat.
2. The District Police officer Swat.

.....(Respondents)

**APPLICATION FOR RESTORATION OF APPEAL NO.**  
**1361/2023 WHICH WAS DISMISSED ON DEFAULT VIDE**  
**ORDER DATED 03/11/2023.**

**RESPECTFULLY SHEWETH:**

1. That the instant appeal No. 1361/2023 was filed before this Honorable Tribunal against the order removal order.
2. That the instant appeal was in Preliminary hearing stage at principle Bench Peshawar, on dated 03.13.2023. Counsel for the appellant was busy Seriously ill. The appeal of appellant was dismissed in default on 03/11/2023.
3. That when the counsel got knowledge about the Appeal then immediately filed application for provision of copy. **Copy of the order is attached as annexure-A**
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, that the instant appeal No. 1361/2023 may be restore on the acceptance of this application.

*C/O*  
**APPELLANT**  
**NIZAM KHAN**

Through:

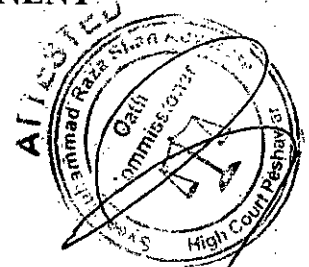
*syed*  
**SYED NOMAN ALI BUKHARI**  
ADVOCATE, HIGH COURT  
PESHAWAR.

*uzma*  
**UZMA SYED**  
Advocate High Court

**AFFIDAVIT**

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

*uzma*  
**DEPONENT**



3

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

APPEAL NO. 1361 /2023

Nizam Khan, EX- Constable, No.40  
Distt: Swat.



.....(Appellant)

**VERSUS**

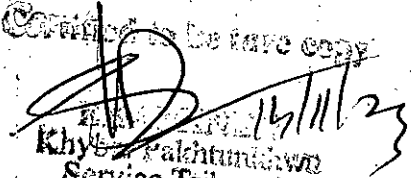
1. The Regional Police Officer, Malakand, Saidu Sharif, Swat.
2. The District Police officer Swat.

.....(Respondents)

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER 07.12.2022 WHEREBY, APPELLANT WAS DISMISSED FROM THE SERVICE AND AGAINST REJECTION ORDER DATED 16/05/2023 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS REJECTED FOR NO GOOD GROUNDS.

**PRAYER:**

THAT ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL, THE ORDERS DATED 07/12/2022 and 16/05/2023 MAY PLEASE BE SET ASIDE AND THE APPELLANT MAY BE REINSTATED IN TO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

Certified to be true copy  
  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

S.A #. 131/2023

ORDER

3<sup>rd</sup> Nov. 2023

Nizam Khan vs Graft



1. Nobody is present on behalf of the appellant.
2. This case was called several times but nobody put appearance on behalf of the appellant before the Tribunal till its rising, therefore, the appeal in hand is dismissed in default. Consign.
3. Pronounced in open Court at Peshawar and given under my hand and seal of the Tribunal on this 3<sup>rd</sup> day of November, 2023.

(Kalim Arshad Khan)  
Chairman

Date of Presentation of Application 13/11/23  
Number of Words pages = 2  
Copying Fee 10/-  
Urgent \_\_\_\_\_  
Total 10/-  
Name of Copyiest Shahzad  
Date of Completion of Copy 14/11/23  
Date of Delivery of Copy 14/11/23

Certified to be true copy

Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar