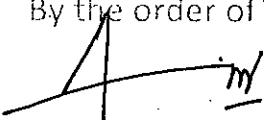


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 868 /2023

S.No	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	24.11.2023	<p>The application for restoration of Appeal no. 8815/2020 submitted today Mr. Fazal Haq Advocate. It is fixed for hearing before Division Bench at A.Abad on _____ .Original file be requisitioned.</p> <p>By the order of Chairman  REGISTRAR</p>

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR
CAMP COURT ABBOTTABAD

Restoration CM _____ A of 2023
Application No 868
IN

Service Appeal No. 8815 of 2020

Sonia Bibi Appellant
Khyber Pakhtukhwa
Service Tribunal

Diary No. 9416

Dated 24-11-2023

VERSUS

Govt. of KPK etc.... Respondents

APPLICATION FOR RESTORATION OF
THE TITLED SERVICE APPEAL NO.
8815/2020.

Respectfully shewith!

1. That, the above titled Service Appeal was pending adjudication before this Hon'ble court.
2. That, neither the appellant nor counsel was served upon about the date fixed nor the titled appeal stood dismissed and default on dated 26-04-2023

(copy of order dated 26-04-2023.
Annexed)

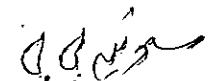
3. That, value able rights of the appellant were involved in the titled service appeal and in the larger interest of justice, that needs to be decided on merits.

4. That, appellant has a prima facie case and there is every likelihood of its success, if decided on merits and in accordance with the law.
5. That, the absence of the appellant and his counsel was not willful on the date of hearing rather it was due to non service of the date fixed.

PRAYER

It Is Therefore Most Humbly Prayed That on Acceptance Of Instant application, The Above Titled Service Appeal May Kindly Be Restored And Decide The Same On Merits, So That Vested Rights Of The Petitioner Could Be Protected.

Dated: 24-11-2023


Appellant

Though


FAZAL HAQ
Advocate High
Court Manshera

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL.

IN SERVICE APPEAL NO: 8815 of 2022

Sonia Bibi

.....*Appellant*

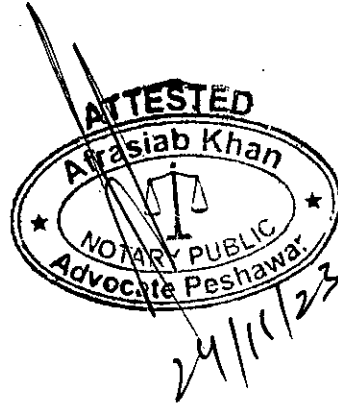
V E R S U S

Director Elementary and Secondary Education Peshawar etc

.....*Respondents*

AFFIDAVIT

I, Sonia Bibi, Ex Primary School Teacher at Government Girls Primany School Muhammad Abad, Theisl Pallas, District KP Kohhistan, do hereby solemnly affirm and declare that the contents the this application are true and correct to the best of my knowledge and belief and that nothing has been kept concealed.



Deponent.

BEFORE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL.

IN SERVICE APPEAL NO: 8815 of 2022

Sonia Bibi

.....*Appellant*

V E R S U S

Director Elementary and Secondary Education Peshawar etc

.....*Respondents*

APPLICATION FOR CONDONATION OF DELAY


Respectfully Sheweth:-

1. That the applicant has filed a services appeal in this Hon'ble Court.
2. That the absence of appellant and his council was not willful and the date of hearing rather it was due to non-service of the notice of dismissal and default of the service appeal, and due to non-service of the date fix.
3. That the delay in filing the instant appeal is neither intentional nor will full but due to the good and sufficient reasons shown herein above. Interest of justice demands that the present application is allowed and the delay in filing instant appeal is condoned so that the matter can be adjudicated upon on its merit.

It is, therefore, most respectfully prayed that this application may kindly be allowed and the delay of 06 months in filing the instant appeal may kindly be condoned and the matter may kindly be heard on its merit in the interest of justice. Such other orders as deemed fit and proper in the facts and circumstances of the case may kindly also be passed.

Appellant.


Through

Fazal Haq 
Advocate, High Court,

AFFIDAVIT

I, Sonia Bibi, Ex Primary School Teacher at Government Girls Primany School Muhammad Abad, Theisl Pallas, District KP Kohhistan, do hereby solemnly affirm and declare that the contents the this application are true and correct to the best of my knowledge and belief and that nothing has been kept concealed.




Deponent.

24/11/23

BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR



8815
Service appeal No _____ of 2020
Higher Peshawar
Service Tribunal

Diary No. 7109

Mst, Sonia Bibi, Ex-Primary School Teacher
at Government Girls Primary School Goshali,
Tehsil Dassu, District Kohistan upper.
Dated 13/7/2020
.....Appellant

VERSUS

- 1) Director Elementary and secondary Education Peshawar.
 - 2) District Education officer (Female) Kohistan at Dassu.
-Respondents

Handwritten notes:
3/9/20
Registrar

APPEAL UNDER SECTION 4 OF KPK
SERVICE TRIBUNAL, ACT, 1974
AGAINST THE IMPUGNED ORDERS NO
7556-63 DATED 24.11.2015, PASSED
BY RESPONDENTS WHEREBY MAJOR
PENALTY OF REMOVAL FROM
SERVICE OF APPELLANT ON THE
GROUND OF ALLEGED UNSPECIFIED
ABSENCE FROM DUTY WAS IMPOSED
AND UPHELD.

Re-submitted to -day
at -

Registrar

Handwritten signature and date:
24/11/23
Service Tribunal
Peshawar

Appeal No. 8815/2022
Sonia Bibi vs Govt

10th Mar, 2023

1. Learned counsel for the applicant present and heard. Nobody present on behalf of the respondents.

2. Instant application is for restoration of appeal, which was dismissed in default on 21.02.2023, while this application has been moved on 02.03.2023 which is within time, therefore, this application is allowed and appeal is restored on its previous number. Office is directed to make entries accordingly. To come up for written reply/comments on 26.04.2023 before S.B at camp court Abbottabad. Notices be issued to the respondents for the date fixed.

3. Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 10th day of March, 2023.

SCANNED
KPST
Peshawar

(Kalim Arshad Khan)
Chairman



ORDER

26th April, 2023

KALIM ARSHAD KHAN, CHAIRMAN: Nobody is present on behalf of the appellant. Mr. Asif Masood Ali Shah, Deputy District Attorney for respondents present.

2. Called several times till last hours of the court but nobody turned up on behalf of the appellant. In view of the above, the instant appeal is dismissed in default. Consign.

3. Pronounced in open court in Abbottabad and given under our hands and seal of the Tribunal on this 26th day of April, 2023.

(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

Adnan Shah, P.A.
24/11/23

Date of hearing of appeal: 24-11-23
Number of pages: Page 2
Copying fee: 10/-
Fees: 5/-
Total: 15/-
Date of Camp: 24-11-23
Shahjahan

قیمت
50 روپے

21544

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

ایڈوکیٹ: سہیل کورٹ

بار کونسل ایسوسی ایشن نمبر: 15-61 99

رابطہ نمبر: 08462728625



بعدالت جناب: مسٹر سید امجد علی شاہ (مکمل کورٹ اسٹیٹ بار)

مخانب:	دعویٰ:
مسوئہ بی بی	علت نمبر:
بنام	مورخہ:
گورنمنٹ آف KPR	جرم:
	تھانہ:

باعت تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ آن مقام پشاور کیلئے حفظ حقوق اور وکیل کورٹ کو وکیل مقرر کر کے اقرار کیا جاتے ہیں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کال اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقریر 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 یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار 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 جائزہ التوائے مقدمہ کے سبب سے ہوگا کوئی تازہ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب یا بندہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

PESHAWAR BAR ASSOCIATION
KHYBER PAKHTOONWA

المرقوم: 24/11/2023

الع ہد واہ شد الع ہد
مقام کے لیے منظور ہے۔

نوٹ: اس وکالت نامہ کی فوٹو کاپی ناقابل قبول ہوگی۔

Handwritten signature