Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 884/**2023**

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	27.11.2023	The application for restoration of Appeal no. 590/2022 submitted today Mr. Shah Faisal Ilyas 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. By the order of Chairman REGISTRAR

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR

Restoration Application No. 884 /2023
IN
Appeal No.590/2022

Tanveer Shehzad S/O Muhammad Shafi ACR(R) Mardan ..... **Appellant**

VERSUS

1. Govt of KPK through Chief Secretary, Civil Secretariat Peshawar.
2. Senior Member Board of Revenue (SMBR) KPK, Opposition MPA Hostel, Peshawar.
3. Secretary Establishment, Govt of KPK, Civil Secretariat, Peshawar..... .....**Respondents**

APPLICATION FOR RESTORATION OF THE ABOVE NOTED SERVICE APPEAL WHICH WAS DISMISSED IN DEFAULT ON 09.10.2023.

Respectfully Sheweth;

1. That the above noted service Appeal was fixed for hearing on 09.10.2023, but the same was dismissed in default for non-prosecution.
2. That non-appearance of petitioner's counsel on the date fixed was neither intentional nor deliberate, but due to the reason tha applicant/ counsel was conveyed the date in the case as 09-1 2023, But today when clerk of the undersigned come to th honorable tribunal about Query of other cases he was informed

the office, that your cases have been dismissed for non-prosecution.

3. That absence of the applicant was not intentional, but due to above stated reason, and for afore mentioned fact verification earlier cause list was asked from the office of this Honorable Tribunal which was told to be not available being losted.
4. That valuable rights of the Appellant is involved, and if the Service Appeal is not restored then the Appellant will suffer irreparable loss.

It is, therefore, most Humbly Prayed that the above noted case may kindly be restored in the interest of Justice and be decided on merits.

Petitioners
Through
Shah Faisal Ilyas
Advocate Supreme Court

Date 27/11/2023

AFFADAVIT

I, do hereby affirm and declare as per instruction of my client that the contents of this Application are true and correct to the best of my knowledge belief and nothing has been concealed from his honorable court.

DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 590/2022

Tanveer Shehzad S/o Muhammad Shafi
ACR (R) Mardan .....**Appellant**

Versus

1. Govt. of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar.
2. Senior Member Board of Revenue (SMBR), Khyber Pakhtunkhwa, Opposite MPA Hostel, Peshawar.
3. Secretary Establishment, Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
4. Gul Ghazi Khan, Ex.DRA
5. Misri Khan, Ex-Tehsildar (ACB)
6. Mukhtiar Ali, Ex.DRA
7. Muhammad Aslam Ex.Sub-Registrar
8. Mushtaq Ahmad, Ex.Sub-Registrar
9. Liaqat Ali, Ex.Sub-Registrar
10. Mujahid Ali, Ex.Sub-Registrar
11. Bashir Ahmad, Ex-Naib Tehsildar
12. Naz Amin, Ex-Naib Tehsildar
13. Abdul Haleem, Ex-District Kanungo
14. Asghar Shah, Ex-Naib Tehsildar
15. Muhammad Taj, District Kanungo
16. Said Rheman, Ex-Naib Tehsildar
17. Kiramat Ullah Kundi, Ex-Tehsildar (ACB)
18. Muhammad Hayat, Ex-District Kanungo
19. Waheed Ahmad, District Kanungo
20. Shaif ur Rehman, Disrtict Kanungo
21. Muhammad Hayaun, Sub-Registrar
22. Sarir Ahmad, Ex-Naib Tehsildar
23. Muhammad Riaz, Ex-Naib Tehsildar
24. Attaullah, Ex-Naib Tehsildar
25. Mushtaq Hussain, Ex-Naib Tehsildar
26. Abdul Qayum, Ex-Naib Tehsildar
27. Muhammad Nawaz, Ex-Naib Tehsildar

Filed to-day
Registrar
18/03/2022

S.A No. 590/2022

ORDER
09.10.2023

Nemo for the appellant. Mr. Ghulam Shabir, Assistant Secretary alongwith Mr. Asad Ali Khan, Assistant Advocate General for official respondents present and stated that para-wise comments submitted by respondents No. 1 & 2 in Service Appeal No. 580/2022 titled "*Syed Sultan Haider Shah Versus Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar and others*", may also be considered in the instant appeal. He also stated that respondent No. 3 relies on the said comments. Copy of the reply submitted in Service Appeal No. 580/2022 titled "*Syed Sultan Haider Shah Versus Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar and others*" is placed on file in the instant appeal.

Vide previous order dated 25.09.2023, appellant was directed to submit copies of appeal and to deposit TCS expenses for issuing of notices to private respondents No. 15, 19, 48, 63, 64, 67, 68, 72, 73, 74, 76, 77, 78 but neither copies of the appeal were submitted by the appellant nor he deposited TCS expenses.

Today, the appeal in hand was called on for hearing after various intervals, however nobody put appearance on behalf of the appellant till rising of the court, therefore, the appeal in hand stands dismissed in default. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
09.10.2023

(Salah-ud-Din)
Member (Judicial)

Certified to be ture copy
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 24-11-23
Number of Words Page = 2
Copying Fee 10/-
Urgent
Total 10/-
Name of Copyist
Date of Completion of Copy 23-11-23
Date of Delivery of Copy 23-11-23

Naeem Amin