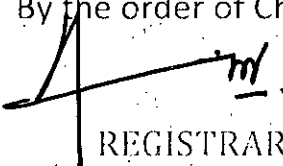


Form-A

FORM OF ORDER SHEET

Court of _____ >

Restoration Application No. 932/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	30.11.2023	<p>The application for restoration of service appeal no. 283/2023 submitted today Mr. Mushtaq Ahmad 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>

**BEFORE THE HON'BLE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA, PESHAWAR.**

R. A. No. 932/2023

In Re:

Service Appeal No. 283/P/2023

Nimatullah

..... Petitioner

Versus

Director E&SE and others

..... Respondents

INDEX

S.No	Description of Documents	Annex	Pages
1.	Application for restoration with affidavit		1-2
2.	Copy of Order dated 06.11.2023	A	3-4

Through

Applicant/Appellant

Ahmed
Mushtaq Khan
Advocate High Court.

at Buncer

03469014199

Dated: 29.11.2023

①

**BEFORE THE HON'BLE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA, PESHAWAR.**

R. A. no. 932/2023

In Re:

Service Appeal No. 283/P/2023

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 9603

Dated 30-11-2023

Nimatullah S/o Abdul Majeed Ex. SST (Bio/Chem) GHS Kalan, R/o
Vilalge Nawagai, Tehsil Mandanr, District Buner.

..... Petitioner

Versus

1. Director E&SE Khyber Pakhtunkhwa, Peshawar
2. District Education Officer (M) Buner.
3. Govt. Of Khyber Pakhtunkhwa through Secretary Elementary &
Secondary Education Khyber Pakhtunkhwa, Peshawar.

..... Respondents

**APPLICATION FOR AND ON BEHALF OF PETITIONER
FOR RESTORATION OF ABOVE TITLED SERVICE
APPEAL WHICH WAS DISMISSED IN DEFAULT FOR
NON PROSECUTION ON 06.11.2023**

Respectfully Sheweth:

1. That the captioned service appeal was fixed for hearing on
06.12.2023, however the same was fixed and dismissed in
default for non prosecution on 06.11.2023.
2. That the counsel for the appellant received the date through
Court Reader for 06.12.2023, however the case was fixed in


06.11.2023 and dismissed accordingly for non prosecution on the part of the counsel.

- 3. That the non appearance of the counsel was not intentional nor deliberate but due to the reasons mentioned above.
- 4. That this Hon'ble Court have ample powers to restore the above titled service appeal and be decided on its merits.

It is therefore, prayed that on acceptance of this application, the above titled service appeal may kindly be restored and the case may please be decided on its merits in the best interest of justice.

Through

Applicant/Appellant


Mushtaq Khan
 Advocate High Court.

Dated: 29.11.2023

AFFIDAVIT

I, do hereby solemnly affirm and declare that the contents of the accompanying Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

ATTESTED
 Ghil Daraz Khan
 Oath Commissioner
 Advocate High Court Peshawar
 29/11/23


 Advocate

Annex A

3



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 283 2023

Khyber Pakhtunkhwa
Service Tribunal

Diry No. 3184

Date: 26/01/2023

Nimatullah S/O Abdul Majeed Ex SST(Bio/chem) GHS Kalan ,r/o
village Nawagai, tehsile Mandanr ,district Buner.....Appellant

Versus

1. Director E & SE Khyber Pakhtunkhwa at Peshawar.
2. District Education officer (M) Buner.
3. Govt. of Khyber Pakhtunkhwa through secretary Elementary & Secondary Education Khyber Pakhtunkhwa at Peshawar
.....Respondents

SERVICE APPEAL UNDER SECTION 4 OF SERVICE TRIBUNAL ACT, AGAINST THE IMPUGNED ORDER ENDST NO 7878.81 DATED 14.7.2022 WHEREBY THE RESPONDENT NO 1 ILLEGALLY AND AGAINST NATURAL JUSTICE WITHDRAWN THE APPOINTMENT ORDER OF THE APPELLANT.

Handwritten signature and date: 26/1/23

Respectfully Sheweth:

1. That the appellant was appointed as secondary school teacher (SST Bio/chem) vide appointment order Endst No 563.68 dated 14/9/2018 where after he took the charge of his duties on the same date .(appointment order of the appellant and charge report attached as anx A and A1)
2. That since appointment the appellant had been performing his duties to the best of his abilities and with full zeal and zest to the entire satisfaction of his superiors and students.

Vertical handwritten text: RECEIVED IN THE OFFICE OF THE SECRETARY TO THE TRIBUNAL PESHAWAR 26/1/2023

Certified to be true copy
Handwritten signature
Khyber Pakhtunkhwa
Service Tribunal
Peshawar




ORDER
06.11.2023

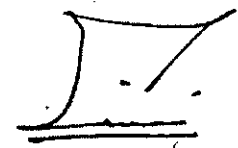
Nemo for the appellant. Mr. Asad Ali Khan,


Advocate General for the respondents present.

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 stand dismissed in default. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
06.11.2023


(Farzana Paul)
Member (Executive)
Camp Court Swat


(Salah-ud-Din)
Member (Judicial)
Camp Court Swat

Certified to be true copy

Naeem Amin
Kyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 21-11-2023
Number of words page 2
Copying Fee 10/-
Urgent 5/-
Total 15/-
Name of Copyiest Shahzad
Date of Completion of Copy 21-11-2023
Date of Delivery of Copy 21-11-2023