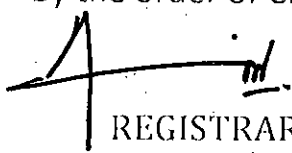


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 927/2023

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	29.11.2023.	<p>The application for restoration of service appeal no. 1386/2022 submitted today Mst. Fozia Akram 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.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

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

In Re:

R. A No. 927/2023

Service Appeal No. 1386/P/2022

Fozia Akram

..... Petitioner

Versus

The Regional Police Officer and others

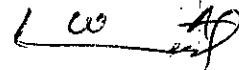
..... Respondents

INDEX

S.No	Description of Documents	Annex	Pages
1.	Application for restoration with affidavit		1-2
2.	Copy of Order dated 13.11.2023	A	3-4

Through

Applicant/Appellant



Wiqar Ahmad Maidani
Advocate High Court.

Dated: 29.11.2023

BEFORE THE HON'BLE SERVICE TRIBUNAL, KHYBER

PAKHTUNKHWA, PESHAWAR.

R. A. no. 927/2023
Service Appeal No. 1386/P/2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 9599

Dated 29-11-2023

Fozia Akram Ex-Laday Constable (BPS-07) Police District Bannu,
Khyber Pakhtunkhwa.

[Appellant]

Versus

1. The Regional Police Officer (RPO) Bannu Region, Central Police Lines District Bannu Khyber Pakhtunkhwa.
2. The District Police Officer (DPO) District Bannu, District Headquarter of Police Bannu Khyber Pakhtunkhwa.
3. The Inspector General of Plice Khyber Pakhtunkhwa, Central Police Lines 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 13.11.2023**

Respectfully Sheweth:

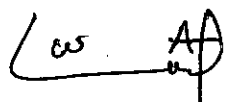
1. That the captioned service appeal was fixed for hearing on 13.11.2023.
2. That, on 13.11.2023, the clerk of counsel for the petitioner marked the attendance before the Court but still the case was dismissed in default for non prosecution. **(Copy of order dated 13.11.2023 is attached as annexure "A").**

3. That the counsel for the petitioner was busy in his brother wedding and the petitioner herself was suffering from illness due to which could not appear before the Court.
4. That the non appearance of the counsel was not intentional nor deliberate but due to the reasons mentioned above.
5. That, law leans towards adjudication upon merits and that parties should not be knocked out on technical grounds.
6. That this Hon'ble Court have ample powers to restore the above titled writ petition 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



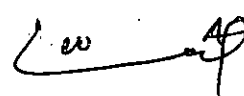
Wiqar Ahmad Maidani
Advocate High Court.

Dated: 29.11.2023

AFFIDAVIT

As per instruction of my client, 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.

Advocate

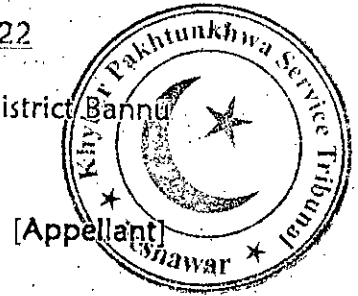


ATTESTED BY
Zakaria Khan Khattak
Advocate High Court
(Oath Commissioner)

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 1386/2022

Fozia Akram Ex-Lady Constable (BPS- 07) Police District Bannu
Khyber Pakhtunkhwa.



VERSUS

- 1) The Regional Police Officer (RPO) Bannu Region, Central Police Lines District Bannu Khyber Pakhtunkhwa.
- 2) The District Police Officer (DPO) District Bannu, District Headquarter of Police Bannu Khyber Pakhtunkhwa.
- 3) The Inspector General of Police Khyber Pakhtunkhwa, Central Police Lines Peshawar.

[Respondents]

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT 1974

AGAINST THE IMPUGNED OFFICE ORDER NO. 2063-68/PA, DATED
BANNU THE 27/07/2021, WHEREBY MAJOR PENALTY OF COMPULSORY
RETIREMENT FROM SERVICE HAS BEEN IMPOSED ON THE APPELLANT BY
RESPONDENT NO (2)/THE DISTRICT POLICE OFFICER BANNU. WHILE,
THE APPELLATE AUTHORITY RESPONDENT NO (1)/THE REGIONAL
POLICE OFFICER (RPO) THROUGH OFFICE ORDER NO. 5126-/ES/DATED
BANNU, THE 23/08/2022, WHEREBY THE DEPARTMENTAL APPEAL
DATED: 26/07/2022 OF THE APPELLANT WAS REJECTED.

Respectfully Sheweth;

BRIEF FACTS

- 1) That the Appellant is a respectable Law-abiding citizen of Pakistan and belongs to a respectable family. Moreover, the appellant was initially appointed/recruited as a 'Lady Constable' in the Khyber Pakhtunkhwa Police on 06/11/2008 at her dwelling District Bannu, where she rendered her services with honesty, zeal and zest to the entire satisfaction of her superiors (respondents).

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

{Copy of Appointment Order dated 06/11/2008 annexed Annexure- A}

That on dated 15/12/2008, husband of the appellant confidentially submitted 'Resignation Letter along with an Affidavit' before the then District Police Officer (DPO) Bannu without taking any proper consent of



S. A No. 1386/2022

ORDER

13th Nov. 2023

1. Nobody is present on behalf of the appellant. Mr. Habib Anwar, Additional Advocate General for the respondents present.

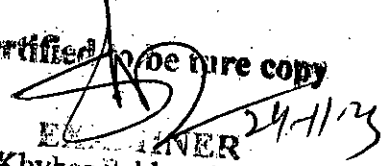
2. Clerk of counsel for the appellant had put appearance in the early hours of the Court, but thereafter, nobody turned up before the Tribunal till its rising; therefore, the appeal in hand is dismissed in default. Consign.

3. *Pronounced in open Court at Peshawar and given under my hand and seal of the Tribunal on this 13th day of November, 2023.*


(Kalim Arshad Khan)
Chairman

Mirazam Shah

Date of Presentation of Application 24-11-2023 Certified True copy
Number of Words page = 2
Copying Fee 10/-
Urgent 5/-
Total 15/-
Name of Copyist Shahzad
Date of Completion of Copy 24-11-23
Date of Delivery of Copy 24-11-23


MIRAZAM SHAH
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

بجرت

سروس ٹریبونل ہندوستان

2 Petitioner 2

خورمہ اکرم نام RPO

Restoration Applied

BC: 18-1118

0340 2301181

Email dr.vick.khan@gmail.com

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام کے لیے وکلاء احمد صبرانی اور محترمہ طارقہ خان

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے ق تقرر ثالث و فیصلہ پر حلف دینے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برابری اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا محتاج ہوگا۔ از بصورت ضرورت مقدمہ مذکور 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 بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے سب سے وہوگا۔ کوئی تاریخ پیشی مقام دوزہ پر ہو یا حد سے باہر ہو تو وکیل صاحب یا بند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھد یا کہ سندر ہے۔

Handwritten signature

المرقوم 29 11 2023

العبد و العبدہ
 Accepted & received
 Handwritten signature

خورمہ اکرم صاحبہ لکھنؤ وکیل بنوں