


Form-A  
FORM OF ORDER SHEET

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

Restoration Application No. 929/2023

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. 952/2022 submitted today Mr. Muhammad Irshad 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. 929/23

Service Appeal No. 952/P/2022

Imran

..... Petitioner

Versus

The Government of KPK and others

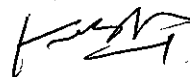
..... Respondents


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1.	Application for restoration with affidavit		1-2
2.	Copy of Order dated 15.11.2023	A	3-5

Through

Applicant/Appellant

  
**Muhammad Irshad**  
Advocate High Court.

  
**Abdul Majeed Yousafzai**  
Advocate Peshawar

Dated: 29.11.2023

①

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

In Re: *R. A - No. 929/2023*  
Service Appeal No. 952/P/2022

Khyber Pakhtunkhwa  
Service Tribunal  
Diary No. *9579*  
Dated *29-11-2023*

Imran S/o Malook (IHC No. 138 (HC 203) District Police Mardan)  
Village Lund Khwar District Mardan.

..... Petitioner

Versus

The Government of KPK through

1. The Inspector General of Police KPK Peshawar.
2. The Secretary Home Department, KPK Peshawar.
3. Regional Police Officer, Mardan.
4. District Police Officer, Mardan.

..... Respondents

**APPLICATION FOR AND ON BEHALF OF PETITIONER  
FOR RESTORATION OF ABOVE TITLED SERVICE  
APPEAL WHICH WAS DISMISSED IN DEFAULT FOR  
NON PROSECUTION ON 15.11.2023**

**Respectfully Sheweth:**

1. That the captioned service appeal was fixed for hearing on 15.11.2023 which has been dismissed in default for non prosecution.
2. That the counsel for the appellant was on bed rest due to crack on his leg and he could not contact with the appellant.

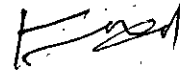
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3. That the non appearance of the counsel was not intentional nor deliberate but due to the reasons mentioned above.
4. That, law leans towards adjudication upon merits and that parties should not be knocked out on technical grounds.
5. That this Hon'ble 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



**Muhammad Irshad**  
Advocate High Court.

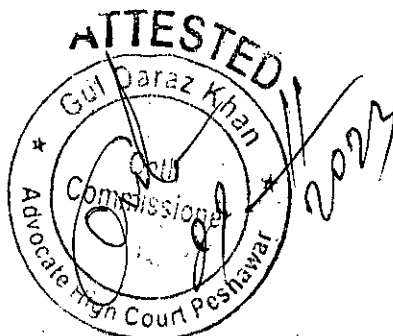


**Abdul Majeed Yousafzai**  
Advocate Peshawar

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.



Advocate

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# Before The Service Tribunal, Peshawar.

Service Appeal No. 952/2022



Imran S/O Malook (IHC No. 138 (HC 203) District Police Mardan  
Village Lund Khwar District Mardan.

.....Appellant

**Versus**

**The Government of KPK through**


1. The Inspector General of Police K.P.K Peshawar
2. The Secretary, Home Department, K.P.K Peshawar.
3. Regional Police Officer Mardan.
4. District Police Officer Mardan.

.....Respondents

Appeal under section 4 of The service Tribunal Act, 1973 against the order of the IGP/Respondent No.1, vide order dated 04/02/2022 No 215/E-III Peshawar, whereby the Appellant was transferred from Mardan Region to Kohat Region without waiting for the result of the case, as the appellant has been acquitted by the court in FIR 452 dated 02/05/2017 U/S 411PPC PS Sher Garh as a result of disciplinary proceedings.

### Prayer in Appeal:-

That the appellant may please be restored to the position prior to 21/07/2017 and transferred back to Mardan region and seniority may please be ordered in accordance with merit as appellant has did lower training prior to the date mentioned.

Certified to be true copy  
  
 CHAIRMAN  
 Khyber Pakhtunkhwa  
 Service Tribunal  
 Peshawar

W

11.09.2023

Junior to counsel for the appellant present and requested for adjournment on the ground that learned counsel for the appellant is busy before Hon'ble Peshawar High Court, Peshawar. To come up for preliminary hearing on 19.10.2023 before S.B. P.P given to junior to counsel for the appellant.

(Rashida Bano)  
Member (J)

1

\*Kaleem Ullah\*

SCANNED  
KPST  
Peshawar

9<sup>th</sup> Oct 2023

1. Nemo for the appellant.

On 2/11/23, counsel was informed telephonically for the date fixed (07/11/23) for Mahalini

Notice be issued to the appellant and his counsel to attend the court on the next date. To come up for preliminary hearing ~~reply/cashments~~ on 07.11.2023 before S.B.

(Muhammad Akbar Khan)  
Member (I)

SCANNED  
KPST  
Peshawar

7<sup>th</sup> Nov. 2023

1. Appellant in person present.

2. He made a request for adjournment as his counsel is not available today. Granted. To come up for preliminary hearing on

15.11.2023 before S.B. P.P given to the appellant.

(Kalim Arshad Khan)  
Chairman

Certified to be true copy

Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

\*Mutazem Shah\*

S.A #.952/2022

15<sup>th</sup> Nov: 2023

*Imran vs Grant* (5)



1. Nobody is present on behalf of 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 under my hand and seal of the Tribunal on this 15<sup>th</sup> day of November, 2023.*

**Certified to be true copy**

*Mulazem Shah*  
Chairman  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

*(Signature)*  
(Kalim Arshad Khan)  
Chairman

\*Mulazem Shah\*

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