


Form-A

FORM OF ORDER SHEET

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

Restoration Application No. 935/2023

| S.No. | Date of order Proceedings | Order or other proceedings with signature of judge   |
|-------|---------------------------|--|
| 1     | 2                         | 3  |
| 1     | 01.12.2023                | <p>The application for restoration of service appeal no. 562/2023 submitted today Mr. Zakir A Shah Advocate. It is fixed for hearing before Division 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><br/>REGISTRAR</p> |

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

*Restoration Appli. no. 935/2023*

APPEAL No. 562/2023

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 9651

Dated 1-10-2023

Professor Abdul Jabbar, Retired Principal (BS-20) Government Degree College  
Kohi Sher Haider, District Khyber.

..... Appellant

Versus

1. **The Government of Khyber Pakhtunkhwa,**  
Through Chief Secretary Government of Khyber Pakhtunkhwa,  
Civil Secretariat Peshawar.
2. **The Higher Education Department,**  
Through Secretary Higher Education to the Government of Khyber Pakhtunkhwa,  
Civil Secretariat, Peshawar.
3. **The Finance Department,**  
Through Secretary Finance to the Government of Khyber Pakhtunkhwa,  
Civil Secretariat, Peshawar.

..... Respondents

**APPLICATION FOR RESTORATION OF THE ABOVE TITLED APPEAL ON  
BEHALF OF THE APPELLANT**

The applicant/appellant most humbly submits as under:

Respectfully Sheweth:-

1. That the instant appeal was pending before this Honourable Tribunal in which dismissed in default on 21-11-2023.
2. That the Appeal was fixed for reply of Respondents on 26-07-2023 who submitted their reply on the date fixed and the next date of hearing was intimated by the court i.e. 30-11-2023.

3. That on 30-11-2023 upon inquiring the Appeal was dismissed in default vide order dated 21-11-2023.
4. That the application for restoration is well within time.
5. That the non-appearance of the Appellant/Applicant was neither intentional nor deliberate and for the best interest of justice the appeal needs to be restored.

Copy of Order sheet dated 21-11-2023 is attached.

6. That it is in the best interest of justice, equity and fair play and propriety demands that the Appeal may please be restored.

It is, therefore, most humbly requested that on acceptance of this application this Honourable Tribunal may please restore the above titled Appeal and proceed accordingly.

Any other relief this Hon'ble Tribunal deems and appropriate may also be granted.

Applicant/Petitioner

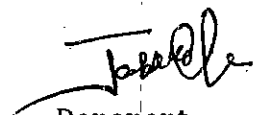
Through

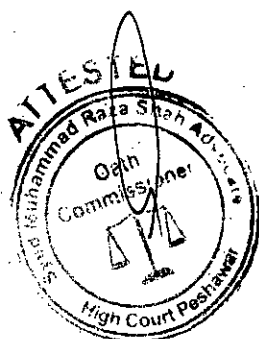


Zarak A. Shah Advocate High  
Court 0333-8335886  
[zark41@hotmail.com](mailto:zark41@hotmail.com)  
SHAH | DURRANI | KHATTAK  
(A REGISTERED LAW FIRM)  
HOUSE NO. 231-A, STREET NO. 13,  
NEW SHAMI ROAD, PESHAWAR.

**AFFIDAVIT**

Affirmed on oath that the contents of accompanied application are true and correct to the best of my knowledge and belief and nothing has been intentionally concealed from this Honorable Court.

  
Deponent



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



APPEAL No. 502 /2023

Professor Abdul Jabbar, Retired Principal (BS-20) Government Degree College  
Kohi Sher Haider, District Khyber.

..... Appellant

Versus

1. The Government of Khyber Pakhtunkhwa,  
Through Chief Secretary Government of Khyber Pakhtunkhwa,  
Civil Secretariat Peshawar.
2. The Higher Education Department,  
Through Secretary Higher Education to the Government of Khyber Pakhtunkhwa,  
Civil Secretariat, Peshawar.
3. The Finance Department,  
Through Secretary Finance to the Government of Khyber Pakhtunkhwa,  
Civil Secretariat, Peshawar.

..... Respondents

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL ACT, 1974 FOR NOTIONAL PROMOTION AND  
GIVING RETROSPECTIVE EFFECT OF NOTIFICATION DATED 12-  
09-2022.

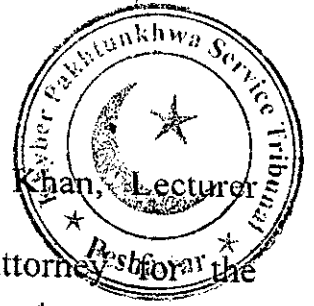
RESPECTFULLY SUBMITTED:

The appellant most humbly beg to submit as under:

1. That the Appellant is a law-abiding citizen of Pakistan and also hails from a respectable family. He is a retired civil servant who was appointed as an Ad-Hoc Lecturer (BPS-17) in Botany at Government Superior Science College Peshawar vide Notification dated 21-10-1987 by the Government of NWFP Education Department. Copy of the notification is Annex-A.
2. That the Appellant was regularized vide Notification dated 31-05-1988 whereafter, he was freshly appointed as Assistant Professor (BPS-18) vide notification dated 25-05-1999. Copy of the notification for regularization is Annex-B. Copy of the appointment notification is Annex-B/1.
3. That the appellant was then promoted to the post of Associate Professor (BPS-19) and posted at Government Degree College, Tangi, Charsadda, against the vacant post on regular basis vide notification dated 26-05-2010. Copy of the notification for promotion is Annex-C.

*Certified to be true copy*

*E. A. R.*  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar





**ORDER**  
21.11.2023

Nemo for the appellant. Mr. Sohrab Khan, Lecturer  
alongwith Mr. Muhammad Jan, District Attorney  
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**  
21.11.2023

  
(Farzeha Paul)  
Member (Executive)

  
(Salah-ud-Din)  
Member (Judicial)

\*Naeem Amin\*

Certified to be true copy  
  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Date of Presentation of Application 30-11-23  
Number of Words Page 2  
Copying Fee 10/-  
Urgent ✓  
Total 15/-  
Name of Copyiest Shahjad  
Date of Completion of Copy 30-11-23  
Date of Delivery of Copy 30-11-23