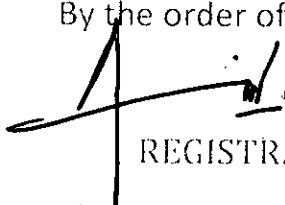


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 65/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	11.01.2024	<p>The application for restoration of Service Appeal no. 1337/2022 submitted today by Najma Kamdar Khan 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  REGISTRAR</p>

BEFORE THE SERVICE TRIBUNAL PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Service Appeal No. 1337/2022

R.A. No. 65/2024

Diary No. 10515

Arshad Farooq .. *Computer operator Central Prison Bannu* Appellant

Dated 11-1-2024

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Home Secretary Khyber Pakhtunkhwa Civil Secretariat Peshawar.
2. Inspector General of Prison Khyber Pakhtunkhwa Peshawar.
3. Superintendent Central Prison Bannu.

..... Respondents

Application for restoration of the above mention Service Appeal 1337/2022 which has been dismissed and default on 08/12/2023.

Respected Sir.

1. That the above mentioned Service Appeal was pending before this Hon' able tribunal which has been dismissed and default decided on 08/12/2023.
(Copy of order dated 08/12/2023 is attached as Annexure-A).
2. That the council of the Petitioner/appellant non-appearance of counsel of applicant court proceedings while the Petitioner/Appellant was unable to attend the court.
3. That non appearance of the council of the Petitioner as well as the Petitioner was not intentionally but due to the reason mention.
4. That the instant application is well within time.

It is therefore, most humbly submitted that on acceptance of the instant restoration application the Service Appeal of the appellant may kindly be restore.

Dated 09/01/2024

Through

Petitioner

Najma Kamdar Khan

&

Javed Ali Advocates

High Court Peshawar

mobile = 0336-9137780

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR


Service Appeal No. 1337/2022

Arshid Farooq

VERSUS Govt of KPK etc

AFFIDAVIT

I, Najma Kamdar Advocate High Court do hereby affirm and declare on oath that the contents of the Instant Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

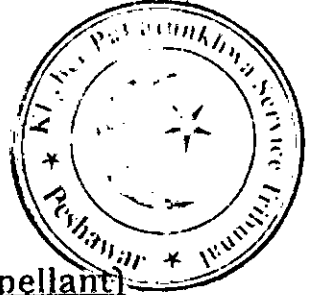
Deponent 



1

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

Service Appeal No. 1337 /2022.



Arshad Farooq(Appellant)

Versus,

1. Government of Khyber Pakhtunkhwa through Secretary Home Secretary Khyber Pakhtunkhwa Civil Secretariat Peshawar .
2. Inspector General of prison Khyber Pakhtunkhwa Peshawar.
3. Superintendent Central prison Bannu.

..... Respondents / defendants

SERVICE APPEAL U/S 4 OF KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT 1974 AGAINST MINOR
PUNISHMENT DATED:19/04/2022 WHERE BY
WITHHELD INCREMENT FOR A PERIOD OF ONE YEAR
WITHOUT CUMULATIVE EFFECT.

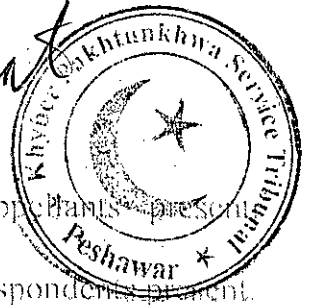
PRAYER: ON ACCEPTANCE OF INSTANT SERVICE APPEAL AND TO
SET ASIDE THE PUNISHMENT OF WITHHOLDING OF
INCREMENT GRANTING SENIORITY ARREAR OF PAY
AND OTHER BACK BENEFITS.

RESPECTFULLY SHEWETH:

- 1) That, appellant is Posted at the post of Computer Operator in the respondent department and having above 9 year clean service record. And till date no complaint what so ever has been given to the respondent.
- 2) That, on dated:14/09/2018 respondent No.2 Issued instruction to all the superintendent of jail in Khyber Pakhtunkhwa were Saturday and Sunday declared closed.(Copy of notification is annexed in 'A') .

Verified true copy
EX-91-24
Khyber Pakhtunkhwa
Service Tribunal.
Peshawar

A No-1337/2023
Arshad Paroo vs Govt



28th August, 2023

1. Junior of learned counsel for the appellants present.
Mr. Muhammad Jan, District Attorney for the respondents present.

2. Junior of learned counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is busy before the Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for arguments 08.12.2023 before the D.B. Parcha Peshi given to the parties.

(Salah-ud-Din)
Member (Judicial)

(Kalim Arshad Khan)
Chairman

8th Dec, 2023

1. Nobody present on behalf of the appellant.
Mr. Asad Ali Khan, Assistant Advocate General alongwith Mr. Ghulam Mustafa, Law Officer for the respondents present.

2. The case was called time and again but neither appellant nor his counsel put appearance, therefore, the appeal in hand is dismissed in default.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 8th day of December, 2023.*

(Salah Ud Din)
Member(J)

Adnan Shah, P.A.

(Kalim Arshad Khan)
Chairman

Certified to be true copy
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar
09-12-23

Date of Presentation of Application 09-01-24
Number of Words Page 2
Copying Fee 14/-
Urgent 5/-
Total 19/-
Name of Copyist Shafiq
Date of Completion of Copy 09-01-24
Date of Delivery of Copy 09-01-24

بعدالت جناب

سرس ٹریبونل ورک لیکچر

BC No. 1861/2008

2009ء منجانب

مورثہ

1337/02 مقدمہ

دعویٰ سرس صید

جرم

باعث تحریر آنکہ

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

آن مقام لکھنؤ کیلئے محمد کا صد رضی اللہ عنہ صاحب عدل و صلح

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 دیئے 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 برادگی 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 اقرار کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکور با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے سب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھد یا کہ سندر ہے۔

2009ء

ماہ 01

رقم 09

واہ العبد

محمد علی

ارشد دادوی وکله لکھنؤ