


# FORM OF ORDERSHEET

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

Misc. application No. 63 /2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	11/01/2024	<p>The Misc. application in Service appeal 1658/2022 submitted today by respondent no. 4 through Mr. Akeel Ahmad Advocate. It is fixed hearing before Division Bench at Peshawar on _____. Original file be requisitioned. Parcha Peshi is given to counsel for the applicant.</p> <p style="text-align: right;"> REGISTRAR</p>

**BEFORE THE KPK SERVICE TRIBUNAL , PESHAWAR**

①

**CM PETITION.....63/.....2024**

**IN SERVICE APPEAL NO. 1658/2022**

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 10507

Dated 11-1-2024

Miss Sidra Jabeen, STATISTICAL (BPS-17) OFFICER Directorate Of Labour  
Government Of Khyber Pakhtunkhwa . . .

.... Applicant/Respondent

Versus

Altaf Hussain,

Assistant Director, Labour District Labour Officer, Nowshera.

.....Respondent/Appellant

**APPLICATION FOR SETTING ASIDE EX-PARTE ORDER DATED 31/07/2023 AND  
RESPORING RIGHT OF FILING PARA WISE REPLY/COMMENTS.**

Respectfully Shweth.

1. That the above titled appeal was fixed before the Honorable Tribunal on 16/01/2024.
2. That the Honorable Tribunal Ordered against the respondent/Applicant as Ex-parte along with striking on the right of applicant on filing of the Para wise reply/comments.
3. That feeling aggrieved the Applicant/Respondent seek right for restoration to file Para wise reply/comments on the following grounds.

**Grounds;**

2

1. That the Valuable Right of the Applicant/Respondent no. 4 is involved with the instant Service Appeal.
2. That Applicant was on Maternity leave from her department for long periods, when notice send to her therefore she couldn't received the notice due to leave but few days ago applicant got know through her department colleagues for the appeal.
3. That applicant was proceeded ex-parte, but the Para wise comments is ready to file the delay was caused due to maternity leave.
4. That application is within time and there is nothing disobedience on the part of Applicant/Respondent.
5. That the delay was not intentionally but to the above reason Respondent/Applicant will show punctuality in Future.
6. That according to the rules of natural justice no one can be condemned un-heard.
7. That the filing to Para wise comments is very necessary for the just and proper disposal of the above Service Appeal.

3

*It is, therefore humbly preyed that on acceptance of this application, the ex-parte proceeding against the applicant/respondent may be set aside & right of file Para-wise reply/comments may kindly be restored.*

Applicant

Miss Sidra Jabeen

**Through**

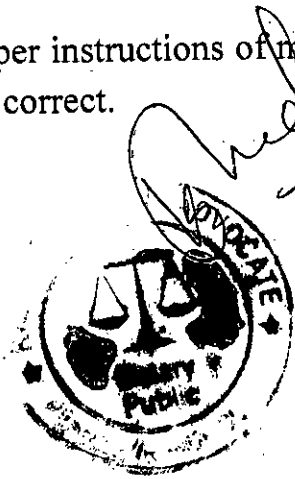
AKEEL AHMAD  
Advocate High Court  
Peshawar

Dated.../0 /01/2024

**AFFIDAVIT**

It is solemnly affirm as per instructions of my client that the contents of this Application are true and correct.

Dependent.





4

GOVERNMENT OF KHYBER PAKHTUNKHWA  
LABOUR DEPARTMENT

Dated Peshawar, 28<sup>th</sup> March 2023

**NOTIFICATION:**

**No. SOL(LD)3-3/2023:** Sanction is hereby accorded to the grant of sixty (60) days Earned Leave on medical grounds in favour of Mrs Sidra Jabeen, Statistical Officer (BPS-17), Hqtr Office, Peshawar with effect from 13 03 2023 to 12 05 2023

- 2 Moreover, look after charge of the post is hereby assigned to Mr Minat Khan, System Supervisor (BPS-17) till arrival of Mrs. Sidra Jabeen, from the leave
- 3 On expiry of the said leave, the officer is likely to return to the same post and station.

Secretary to Govt; of Khyber Pakhtunkhwa  
Labour Department

**Endst. No. SOL(LD)3-3/2023/1547-51**

**Copy forwarded to the: -**

- 1- Accountant General, Khyber Pakhtunkhwa
- ✓ 2- The Director Labour, Directorate of Labour, Khyber Pakhtunkhwa
- 3- P.S. to Secretary Labour, Khyber Pakhtunkhwa
- 4- Mrs. Sidra Jabeen, Statistical Officer (BPS-17), Hqtr Office, Peshawar
- 5- Mr. Minat Khan, System Supervisor (BPS-17), Directorate of Labour

Directorate of Lab. Dir,

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AD(A)  
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~~SECTION OFFICER (LABOUR)~~

Affairs  
J  
28/3/23



5

GOVERNMENT OF KHYBER PAKHTUNKHWA  
- LABOUR DEPARTMENT

Dated Peshawar, 21.08.2023

**NOTIFICATION:**

**No. SOL(LD)3-3/2023:** Sanction is hereby accorded to the grant of forty five (45) days maternity leave in favour of Mrs. Sidra Jabeen, Statistical Officer (BPS-17), Hqtr Office, Peshawar with effect from 05.08.2023 to 19.09.2023.

2. Moreover look after charge of the post is hereby assigned to Mr. Majid Khan, Planning Officer (BPS-17) till arrival of Mrs. Sidra Jabeen, from the leave.

3. On expiry of the said leave, the officer is likely to return to the same post and station.

Secretary to Govt. of Khyber Pakhtunkhwa  
Labour Department

*Handwritten signatures and initials:*  
Alfred  
Sue  
Alfred  
Ad

**Endst. No. SOL(LD)3-3/2023** / 3773-77

**Copy forwarded to the:-**

- 1- Accountant General, Khyber Pakhtunkhwa.
- ✓ 2- Director, Directorate of Labour, Khyber Pakhtunkhwa
- 3- P.S. to Secretary Labour Khyber Pakhtunkhwa.
- 4- Mrs. Sidra Jabeen, Statistical Officer (BPS-17), Hqtr Office, Peshawar.
- 5- Mr. Majid Khan, Planning Officer (BPS-17), Hqtr Office, Peshawar.

*Handwritten signature*  
SECTION OFFICER (LABOUR)

290  
2418123

AD(A)

Copy No. DL/Admn 557/  
24-08-2023



DIRECTORATE OF LABOUR  
KHYBER PAKHTUNKHWA PESHAWAR

Dated 28/08/2023

Endst: No: DL/Admn/P/Files/4900-4902

**Copy forwarded for information to:-**

- 1. Mrs. Sidra Jabeen, Statistical Officer (BPS-17), Hqtr: Office Peshawar.
- 2. Mr. Majid Khan, Planning Officer (BPS-17), Hqtr: Office Peshawar.
- 3. Mr. Sher Afzal Afridi, Accounts Officer (BPS-17), Hqtr: Office Peshawar.

*Handwritten signature*  
Assistant Director Labour (Admn)  
Hqtr: Office Peshawar

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR.**



Service Appeal No. 1658 / 2022.

**ALTAF HUSSAIN,**  
Assistant Director, Labour,  
District Labour Office, Nowshera.

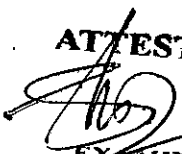
**APPELLANT**

**VERSUS**

1. **GOVERNMENT OF KHYBER PAKHTUNKHWA**  
Through Chief Secretary, Civil Secretariat,  
Peshawar.
2. **SECRETARY LABOUR,**  
Government of Khyber Pakhtunkhwa,  
Labour Department, Civil Secretariat, Peshawar.
3. **DIRECTOR,**  
Directorate of Labour,  
Government of Khyber Pakhtunkhwa,  
3<sup>rd</sup> Floor, FC Trust Building Sunehri Masjid Road, Peshawar.
4. **Miss SIDRA JABEEN,**  
Statistical Officer / Assistant Director,  
Directorate of Labour, Government of Khyber Pakhtunkhwa,  
3<sup>rd</sup> Floor, FC Trust Building Sunehri Masjid Road, Peshawar.

**RESPONDENTS**

**APPEAL UNDER SECTION 4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 FOR GRANTING ANTE-DATED PROMOTION OR GIVING RETROSPECTIVE EFFECT TO PROMOTION OF THE APPELLANT, FROM THE DATE OF ELIGIBILITY OR ELSE FROM 19.01.2021 I.E. THE SCHEDULE DATE**

**ATTESTED**  
  
**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

SA 1658/22

*Alatif Hussain vs Govt*



16<sup>th</sup> June, 2023

01. Counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

02. Reply/comments have not been submitted. Learned AAG requested for time to contact the respondents. Granted. To come up for written reply/comments on 31.07.2023 before the S.B. Parcha Peshi given to the parties.

SCANNED  
WEST  
PESHAWAR

(FAREEHA PAUL)  
Member (E)

\*Fazle Subhan, P.S\*

31.07.2023

Clerk of learned counsel for the appellant present. Mr. Fazal Shah Mohmand, Additional Advocate General alongwith Mr. Muhammad Ibrar, Inspector for official respondents No. 1 to 3 present. Nemo for private respondent No. 4 despite issuance of proper notice hence placed ex-parte.

Reply/comments on behalf of respondents not submitted. Representative of the respondents requested for time to submit reply/comments. Granted. To come up for reply/comments on 20.09.2023 before S.B. P.P. given to the parties.

(Muhammad Akbar Khan)  
Member (i)

Certified to be true copy

EXAMINED  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

\*Kamranullah\*



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Return card of Service Tribunal  
بعدالت ۱۹۷۹



۲۰ منجانب

Catiff Hussaini vs. Chief Secretary, Government of Punjab  
موزخہ  
مقدمہ  
دعویٰ  
جرم

### باعث تحریر آئٹم

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ  
آن مقام الحاصلہ کیلئے حکومت کے  
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 و تقرر ثالثہ فیصلہ بر 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  
ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی  
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور  
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مشاور قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار  
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ  
پرداختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا۔  
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۔

المترجم \_\_\_\_\_ ماہ \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_ واہ الع \_\_\_\_\_

کے لئے منظور ہے۔

بمقام

0315 96 1979