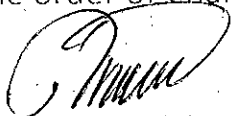


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 75/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	17.01.2024	<p>The application for restoration of Service Appeal no. 372/2023 submitted today by Mr. M. Amin Khattak Lachi Advocate. It is fixed for hearing before touring Single Bench at Swat on _____. Original file be requisitioned.</p> <p>By the order of Chairman</p>  <p>REGISTRAR</p>

①

BEFORE THE HONORABLE SERVICE TRIBUNAL

PESHAWAR

C.M No. _____/2024.
In *Restoration Appli no. 75/2024*

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 10599

Dated 17-1-2024

Service Appeal No. 372/2023.

Dr. Irfan Ullah S/o Maroof Pacha R/o Khall Shalfalam District and tehsil
Dir Lower _____ Applicant/Appellant.

VERSUS

1. Medical Superintendent District Head Quarter Hospital Timergara District Dir Lower.
2. Deputy Superintendent District Head Quarter Hospital Timergara District Dir Lower.
3. Secretary Health Khyber Pakhtunkhwa.
4. Directorate General Health Services Khyber Pakhtunkhwa
_____ Respondent.

**APPLICATION FOR RESTORATION OF THE ABOVE TITLED
SERVICE APPEAL BEARING NO.372/2023 DISMISSED IN
DEFAULT ON 03/01/2024.**

Respectfully Sheweth,

1. That the above cited Appeal was fixed on 3/1/2023, before this Honorable Court and case was adjourned for 15/01/2024.
2. That on 15/01/2024, the clerk of Counsel informed that when he tried to get the order sheet of the previous date i.e. 3/1/2023, it came to his knowledge that Appeal was dismissed in default on 03-01-2024. After coming to know Counsel of the Appellant immediately submitted an application for obtaining the attested copy of the impugned order dated 03/01/2024. *The attested copy of the impugned order is annexed herewith.*

2

3. That absence of the Petitioner is not intentional rather was due to the inadvertent communication of the date as mentioned above and would be careful in future. The application has been submitted without delay & same is quite with in time. Moreover, equity & justice demands that the case be decided on merit.

It is therefore most humbly prayed that the Appeal may graciously be restored.

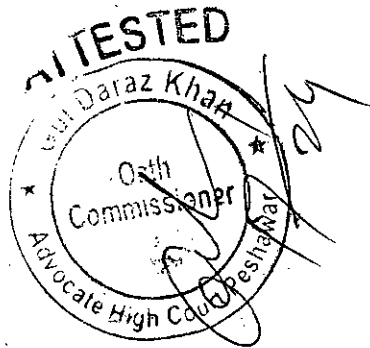
Applicant/Appellant

Through

M. Amin Khattak Lachi
Advocate, Supreme Court.

AFFIDAVIT:

I, **Irfan ullah S/o Maroof Pacha R/o Khall Shalfalam, Dist. Dir Lower,** do hereby solemnly affirm and declare on oath 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 Honorable Court.




DEPONENT

(3)
(1)



BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

312/2023

Dr, Irfan Ullah S/o Maroof Pacha R/o Khall Shalfalam District and
Tehsil, Dir lower.

..... Appellant

VERSUS

1. Medical Superintendent, District Head Quarter hospital, Timergara,
Dist., Dir lower Khyber PakhtunKhwa.
2. Deputy medical Superintendent Sheraaz District Head Quarter
Hospital Timergara ,District Dir lower Khyber PakhtunKhwa.
3. Secretary health Khyber PakhtunKhwa.
4. Directorate general Health Services Khyber PakhtunKhwa.

..... Respondents

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA
TRIBUNAL ACT, 1974 READ WITH RELEVANT RULES AGAINST
THE IMPUGNED ORDER DATED 22/07/2022 NO.3154 &
04.08.2022 WHEREBY MEDICAL SUPERINDENTENT DHQ
TIMERGARA DEDUCTED "ONE DAY SALARY" FROM
APPELLANT NAMELY DR IRFAN ULLAH WHICH IS UTTER,
VIOLATION OF LAW, RULES , AGAINST THE NATURAL JUSTICE
AND ALSO FUNDAMENTAI RIGHTS OF THE APPELLANT.

Certified to be true copy
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Service Appeal No. 372/2023

Dr. Irfanullah vs Govt



ORDER
03.01.2024

Nemo for the appellant. Mr. Muhammad Usman, alongwith Mr. Asad Ali Khan, Assistant Advocate General for the respondents present and submitted para-wise comments. Office is directed to scan the same.

The appeal in hand was called on for hearing after various intervals, however neither appellant nor his counsel put appearance 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
03.01.2024

(Salah-ud-Din)
Member (Judicial)
Camp Court Swat

Naeem Amin

Certified true copy

EMERITINE
Hyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 15-01-2024
Number of Words page = 2
Copying Fee 10/-
Urgent 5/5
Total 15/-
Name of Copyist - Shafiq
Date of Completion of Copy 15-01-24
Date of Delivery of Copy 15-01-24