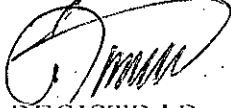


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 76/2024

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. 1382/2022 submitted today by Mr. Akhtar Ilyas 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 KP SERVICE TRIBUNAL, PESHAWAR

Restoration Application NO-76/2024

CM No. _____/2024

In

Service Appeal No. 1328/2022

Tariq Khan Applicant/Appellant

Versus

Govt. of Khyber Pakhtunkhwa and others Respondents

INDEX

S.No	Description of Documents	Annex	Pages
1.	Application for Restoration of Appeal with Affidavit		1-3
2.	Copy of Order dated 04.01.2024	A	4-5

Through

Appellant/Applicant



Akhtar Ilyas

Advocates High Court.

①

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR

Restoration Application NO. 76/2024

CM No. _____/2024

In

Service Appeal No. 1328/2022

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 10598

Dated 17-1-2024

Tariq Khan S/o Abdul Wahid Khan
Ex. Sub-Engineer,
Public Health Engineering Department,
KPK, Peshawar.

..... Applicant/Appellant

Versus

1. Govt. of Khyber Pakhtunkhwa through Secretary, Public Health Engineering Department, Peshawar.
2. Chief Engineer (Center), Public Health Engineering Department (PHED), Khyber Pakhtunkhwa, Peshawar.
3. Chief Engineer (Building), C&W Department, KPK, Peshawar.
4. Chief Engineer (Roads), C&W Department, KPK, Peshawar.
5. Accountant General, Khyber Pakhtunkhwa, Peshawar.

..... Respondents

Application for restoration of service appeal No. 1328/2022 dismissed for non prosecution vide order dated 04.01.2024.

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Respectfully Sheweth:

1. That the above mentioned appeal was fixed before the Hon'ble Tribunal, which has been dismissed for non prosecution vide order dated 08.01.2024. **(Copy of Order is attached).**
2. That the impugned order is liable to be set aside on the following grounds:

GROUND

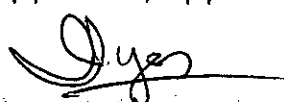
- A. That grandfather of the counsel for the appellant died on 03.01.2024 at Buner. Counsel of the appellant was busy with his family and due to this reason, he could not manage any other advocate/colleague for attending this Hon'ble Tribunal nor informed the appellant due to sheer inadvertence.
- B. That absence of the counsel was neither willful nor deliberate but due to the above facts.
- C. That valuable rights of the petitioner is involved with the instant appeal.
- D. That the instant application is within time.

It is, therefore, humbly submitted that on acceptance of instant application, the service

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appeal may please be restored according to law.


Any other relief which is not specifically asked for, may also be granted in favour of the plaintiff.

Appellant/Applicant
Through 
Akhtar Ilyas
Advocates High Court.

AFFIDAVIT:

It is solemnly affirm that the contents of Application are true and correct and nothing has been concealed therein.


DEPONENT

ATTESTED
Gul Daraz Khan
Oath
Commissioner
Advocate High Court


(B) (4)

(1)

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1328 /2022



Tariq Khan S/o Abdul Wahid Khan
Ex. Sub-Engineer,
Public Health Engineering Department,
KPK, Peshawar.

..... Appellant

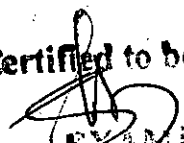
Versus

1. Govt. of Khyber Pakhtunkhwa through Secretary, Public Health Engineering Department, Peshawar.
2. Chief Engineer (Center), Public Health Engineering Department (PHED), Khyber Pakhtunkhwa, Peshawar.
3. Chief Engineer (Building), C&W Department, KPK, Peshawar.
4. Chief Engineer (Roads), C&W Department, KPK, Peshawar.
5. Accountant General, Khyber Pakhtunkhwa, Peshawar.

..... Respondents

Appeal U/S 4 of the KP Service Tribunal Act, 1974 against the non-issuance of Retirement Order and the Order dated 03.08.2022 received on 22/08/2022 whereby his departmental Appeal for grant of pension etc. has been regretted.

Certified to be true copy


EXAMINER/27-24
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

A. No. 1328/2024
Tariq Khan vs Govt

5



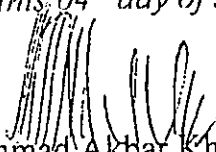
04.01.2024

1. Nemo for appellant. Mr. Habib Anwar

Advocate General for the respondents present.

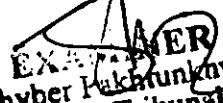
2. The appeal in hand was called on for hearing after various intervals, however, neither the appellant nor anyone else appeared on his behalf till the closing time, therefore, the appeal in hand stands dismissed in default.

3. Pronounced in open ^{court} at Peshawar and given under my hand and seal of the Tribunal on this 04th day of January, 2024.


(Muhammad Akbar Khan)
Member (E)

Kamranullah

Certified to be true copy


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar 12-1-24

Date of Presentation of Application 12-01-2024
Number of Words Page 2
Copying Fee 10/-
Urgent 5/-
Total 15/-
Name of Copyist Shahzad
Date of Completion of Copy 12-01-2024
Date of Delivery of Copy 12-01-2024