


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 72/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	16.01.2024	<p>The application for restoration of Service Appeal no. 1889/2023 submitted today by Mr. Sajjad Ahmad 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 HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Restoration Appli. no: 72/2024

Civil Misc Application No _____ of 2024

In Re:

Service Appeal No 1889/2023

Inspt Sajjad Ahmad Kha.....Applicant/Appellant

VERSUS

IGP of KP and others.....Respondents

I N D E X

S NO	DESCRIPTION OF DOCUMENTS	ANNEX	PAGES
1.	Application for restoration	-	01 - 032
2.	Affidavit	-	3
3.	Copy of the order dated 04-01-2024 of this Honourable Tribunal	'A'	48-65
4.	Wakalat Nama (in original) already placed on main file	-	

Applicant/Appellant

Through:

(WAJID ALI SHEHZAD)

Advocate,

High Court, Peshawar

Cell # 03339867513

03005255117

Dated:-16-01-2024

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BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

①

Restoration Appli. no-72/2024

Civil Misc Application No _____ of 2024

In Re:

Service Appeal No 1889/2023

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 10570

Dated 16-1-2024

Inspector Sajjad Ahmad Khan S/O Amin Ullah Jan R/O Opazai
Bala Mathra Peshawar, *Police Line Bony* Applicant/Appellant

VERSUS

1. The Inspector general of Police, Police Department, Khyber Pakhtunkhwa, Peshawar
2. Deputy Inspector General of Police, Police Department, Khyber Pakhtunkhwa, *HQ-CP Peshawar*
3. Chief Secretary, Government of KP, Peshawar.....Respondents

APPLICATION FOR THE RESTORATION OF ABOVE
MENTIONED SERVICE APPEAL, WHICH WAS DISMISSED
IN DEFAULT FOR NON-PROSECUTION ON 04-01-2024

Respectfully Sheweth:-

The Applicant/Appellant humbly submits as under:-

- 1) That the above titled service appeal was fixed for 04th January, 2024 which was dismissed in default on the date fixed. (Copy of the order dated 04-01-2024 is attached as Annex 'A').
- 2) That on date previous to 08-01-2023 the Appellant/Applicant appeared before the Court, but then it was fixed on 04-01-2024 due to which Counsel of Appellant was unable to appear before this Honourable Court due to his illness.



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- 3) That the absence of Applicant/Appellant was not deliberate and intentional but due to the above mentioned reason.
- 4) That law, precedents and equity always favours the decision on merits but not on technicalities; hence appeal may graciously be restored.
- 5) That the Applicant/Appellant has got strong prima facie case and is very sanguine of its success.
- 6) That valuable right of Applicant/Appellant involved in the instant case and if the abovementioned appeal is not restored, the Applicant/Appellant would suffer extreme irreparable loss; and would be forever deprived of his legal valuable rights.
- 7) That there exists no legal bar on acceptance of the instant application and this Honourable Tribunal has got ample powers to entertain and accept the instant application.
- 8) That the instant application is within time.
- 9) That others grounds will be raised at the time of arguments with the permission of this Honourable Court.

It is therefore, most humbly prayed that on acceptance of this Application, the above noted service appeal may kindly restored in larger interest of justice.

Through: Applicant/Appellant

(WAJID ALI SHEHZAD)
Advocate,
High Court, Peshawar
Cell # 0333-9867513

Dated:-16-01-2024

03005255117



BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Civil Misc Application No _____ of 2024

In Re:

Service Appeal No 1889/2023

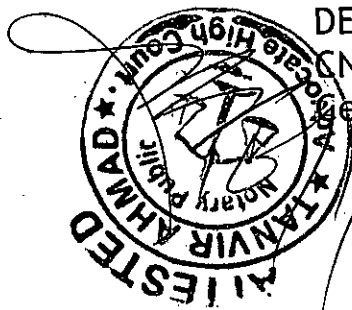
Inspt Sajjad Ahmad Kha.....Applicant/Appellant

VERSUS

IGP of KP and others.....Respondents

AFFIDAVIT

I, Inspector Sajjad Ahmad Khan S/O Amin Ullah Jan R/O Opazai Bala Mathra Peshawar, do hereby solemnly affirm and declare on oath that all the contents of this Application are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Honourable Court.



DEPONENT Sajjad
CNIC # _____
Cell # 0334-9057340

[Signature]



(4)

**BEFORE THE HON'BLE
PESHAWAR HIGH COURT
PESHAWAR**



Writ Petition No. 2458 /2023
Appeal No. 1889/2023

Sajjad Ahmad Khan S/o Amin Ullah Jan
R/o Opazi Bala, Mathra, Tehsil & District Peshawar

.....(Petitioner)

V E R S U S

- 1) The Inspector General of Police, Police Department,
Khyber Pakhtunkhwa, Peshawar
- 2) Deputy Inspector General of Police, Police Department,
Khyber Pakhtunkhwa, Peshawar
- 3) Chief Secretary, Government of Khyber Pakhtunkhwa,
Peshawar

.....(Respondents)

**Writ Petition Under Article 199 of the
Constitution of Islamic Republic of
Pakistan, 1973 as amended upto date.**

Prayer in Writ Petition:

FILED TODAY

Deputy Registrar

08 JUN 2023

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

**On acceptance of the instant writ petition
the impugned Transfer / Posting Order**

⑤ Appeal No. 1889/2023
Sajjad Ahmed vs Govt



05th Dec. 2023

01. Appellant present in person. Mr. Asad Ali Khan, Assistant A.G alongwith Suleman, S.I (Legal) for the respondents present.

SCANNED
KPST
Peshawar

02. Appellant requested for adjournment in order to submit appeal on proper format as directed on 08.11.2023. Another opportunity, as final chance is given to do the needful within 07 days. To come up for preliminary hearing on 04.01.2024 for preliminary hearing before the S.B. Parcha Peshi given to the parties.

(FAREEHA PAUL)
Member (E)

Fazle Subhan, PS

04.01.2024

1. Nemo for appellant. Mr. Habib Anwar, Additional Advocate General alongwith Mr. Suleman, S.I (Legal) 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.

Certified to be true copy

EXAMINED
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

(Muhammad Akbar Khan)
Member (E)

Kamranullah

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

S/T
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