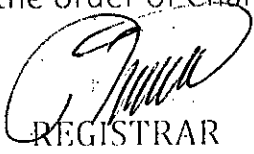


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 81/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	18.01.2024	<p>The application for restoration of Service Appeal no. 2242/2019 submitted today by Mr. Taimur Ali Khan Advocate. It is fixed for hearing before Division Bench at Peshawar on _____. Original file be requisitioned. Parcha Peshi is given to counsel for the applicant.</p> <p>By the order of Chairman  REGISTRAR</p>

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

RANO = 81 / 2024

SERVICE APPEAL NO.2242/2019

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 10623

Dated 18-1-2024

Tamiz ud Din S/O of Meftah ud Din, R/O Village Dara Lund Khwar
Tehsil Takht Bhai District Mardan. Presently serving Boiler Man in
Parachinar Sericulture office Parachinar Kurram.

(APPELLANT)

VERSUS

1. Director, Non-Timber Forest Production Shami Road, Peshawar.
2. Chief Secretary Govt of KP, Civil Secretariat Peshawar.
3. Secretary Environmental Protection Deptt: Khyber, Pakhtunkhwa,
Civil Secretariat Peshawar.
4. Secretary Fisheries, Forestry & Environmental Deptt; KP, Civil
Secretariat
5. Chief Conservator Forestry-I Khyber Pakhtunkhwa Peshawar.
6. Deputy Director Non-Timbers Forest Productions Shami Road
Peshawar.
7. Assistant Director, Non-Timber Forest Productions Sericulture,
Khyber Pakhtunkhwa Conservator Office, Shami Road, Peshawar.
8. Budget & account Officer, Non-Timber Forest Productions Shami
road, Peshawar.

(RESPONDENTS)

**APPLICATION FOR RESTORATION OF INSTANT
APPEAL WHICH WAS DISMISSED IN DEFAULT
DUE TO NON-PROSECUTION ON 11.01.2024**

RESPECTFULLY SHEWETH:

1. That the appellant has filed the instant appeal in this Honorable
Service Tribunal against the impugned order dated 15.11.2017,
whereby the departmental appeal of the appellant was rejected for
promotion from the post of Boiler Man to the post of Senior Boiler
Man with all back from the due date of promotion.
2. That on previous date i.e 15.11.2023, the case of the appellant was
adjourned to 11.01.2024 however the appellant has wrongly noted

the next date as 12.01.2024 instead of 11.01.2024, due to that reason neither the appellant nor his counsel was appeared on the date fixed on 11.01.2024, due to which the appeal of the appellant was dismissed in default in non-prosecution on 11.01.2024. (Copy of order sheet dated 11.01.2024 is attached as Annexure-A)

3. That the appellant has good prime facie case and it will be in interest of justice to decide the case of the appellant on merit rather than dismissed in default due to non-prosecution to meet the ends of justice.

It is therefore most humbly prayed that on the acceptance of this application, the appeal of the appellant may kindly be restored which was dismissed in default due to non-prosecution on 11.01.2024.

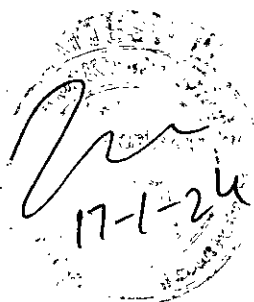

APPELLANT
Tamiz Ud Din

THROUGH:


TAIMUR ALI KHAN
ADVOCATE HIGH COURT

AFFIDAVIT

It is hereby solemnly affirmed and declare that the contents of the application are true and correct and nothing has been concealed from this Honorable Tribunal to the best of my knowledge and belief.


17-1-24


DEPONENT

1

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR



Khyber Pakhtunkhwa
Service Tribunal

Appeal No. 2242 of 2019

Diary No. 1861

Dated 13-12-2019

Tamiz ud Din Son of Meftah ud Din Resident of
Village Dara Lound Khwar Tehsil Thakt Bhai District
Mardan. Presently serving Boiler Man in Parachinar
Sericulture Office Parachinar District Kurram.

... .. Appellant

VERSUS

- 1- Director, Non-Timbers Forest Productions Shami
Road, Peshawar
- 2- Chief Secretary Govt of KP, Civil Secretariat
Peshawar.
- 3- Secretary Environmental Protection Deptt: Khyber
Pakhtunkhwa Civil Secretariat Peshawar
- 4- Secretary Fisheries, Forestry & Environmental
Deptt: KP, Civil Secretariat.
- 5- Chief Conservator Forestry - I Khyber Pakhtunkhwa
Peshawar.
- 6- Deputy Director Non-Timbers Forest Productions
Shami Road, Peshawar.
- 7- Assistant Director, Non-Timbers Forest Productions
Sericulture, Khyber Pakhtunkhwa Conservator
Office Shami Road, Peshawar.
- 8- Budget & Accounts Officer, Non-Timbers Forest
Productions Shami Road, Peshawar

... .. Respondents

Filed to-day

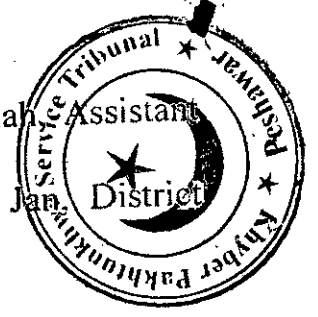
Registrar

13/12/19

APPEAL UNDER SECTION 4 OF KHYBER
PAKHUNKHWA SERVICE ACT, 1974
AGAINST THE IMPUGNED ORDER vide
DATED 15/11/2017 PASSED BY THE
RESPONDENT NO.5 AND REJECTED THE

Certified to be true copy
EXAMINED
Khyber Pakhtunkhwa
Service Tribunal
Peshawar
12/1-2019

A. No. 2242/2019
Tameez ud Din vs Govt





15.11.2023

Appellant in person present. Mr. Osaidullah
Director (NTFP) alongwith Mr. Muhammad Jan
Attorney for the respondents present.

Appellant requested for adjournment on the ground that his counsel is indisposed today. Adjourned. To come up for arguments on 11.01.2024 before the D.B. Parcha Peshi given to the parties.

SCANNED
KPST
Peshawar


(Fareeha Paul)
Member (E)



(Salah-ud-Din)
Member (J)

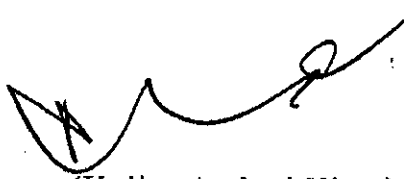
Naeem Amin

ORDER

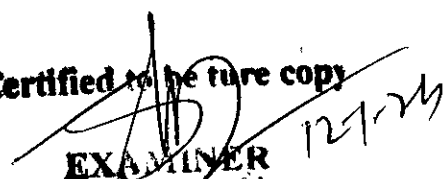
11th Jan. 2024

1. Nobody is present on behalf of appellant. Mr. Muhammad Jan, District Attorney District Attorney for the respondents present.
2. This case was called several times but nobody put appearance on behalf of the appellant till rising of the Court. Therefore, the appeal in hand is dismissed in default. Consign.
3. *Pronounced in open Court at Peshawar given under our hands and seal of the Tribunal on this 11th day of January, 2024.*


(Rashida Bano)
Member (J)

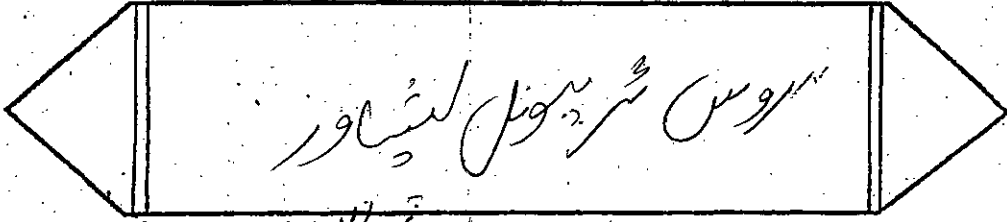

(Kalim Arshad Khan)
Chairman

*Mutazem Shah *

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 12-01-24
 Number of Words Page = 2
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 Date of Delivery of Copy 12-01-24

بغداد الت



تقدیر الکریم - 2 جناب
محترمہ امیرین بنام محکمہ ماحولیات

موزخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام لکچر کے واسطے کیلئے۔

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 ثالث فیصلہ برحلاف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک دروپہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخ
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 مختار قانونی کو اپنے ہمراہ لایا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جائنا لتوائے مقدمہ کے سبب سے وہ ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکورہ کریں۔ لہذا وکالت نامہ لکھد یا کہ سندر ہے۔

Accepted

20
Accepted

المرقوم

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العاب واہ العاب

کے لئے منظور ہے۔

بمقام