


Form-A
FORM OF ORDER SHEET

Court of _____

Restoration Application No. 84/2024

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	18.01.2024	<p>The application for restoration of Service Appeal no. 305/2018 submitted today by Syed Noman Ali Bukhari Advocate. It is fixed for hearing before touring Single Bench at A.Abad on _____. Original file be requisitioned.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

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

R.A NO: 84 /2024
IN

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 10626

APPEAL NO.305/2018

Dated 18-1-2024

Bakhsheesh Ellahi s/o Khanizaman r/o Village And
Post Office Khanpur District Haripur.

.....Appellant

Versus

1. Secretary Population Welfare Department Directorate General Population Welfare FC Road Trust Building Masjid Sunehri Peshawar Cantt.
2. Director General Population Welfare Department, Directorate General Population Welfare FC Trust Building Sunehri Masjid Road Peshawar Cantt.
3. Deputy Director (admin) Population Welfare Department, Directorate General Population Welfare FC Trust Building Sunehri Masjid Road Peshawar Cantt.
4. District Population Welfare Officer, District Haripur.

**APPLICATION FOR RESTORATION OF APPEAL NO.
305/2018 WHICH WAS DISMISSED ON DEFAULT VIDE
ORDER DATED 18/04/2019.**

RESPECTFULLY SHEWETH:

1. That the instant appeal No. 305/2018 was filed before this Honorable Tribunal against the order dated 30/11/2017.
2. That the instant appeal was in preliminary hearing stage at camp court Abbottabad, on previous date and next date was given to the appellant as 18/04/2019 noticed issued to the appellant for date fixed but noticed was not served upon the appellant, the appellant was unaware regarding the fixation of case. The appeal was dismissed for non-prosecution on 18.04.2019.
3. That when the appellant got knowledge about the Appeal then immediately filed application for copy of the order dated 18/04/2019,

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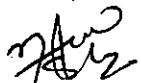
which was handed over to the appellant on same date. **Copy of the order is attached as annexure-A.**

- 4. That it is in the interest of justice that the appeal should be dealt on merit rather to dismiss on default.

It is therefore, most humbly prayed, that the instant appeal No. 305/2018 may be restore on the acceptance of this application.


APPELLANT
 Bakhsheesh

Through:


SYED NOMAN ALI BUKHARI
 ADVOCATE, HIGH COURT
 PESHAWAR.

AFFIDAVIT

It is affirmed and declared that the contents of application are true and correct to the best of my knowledge and belief.


DEPONENT

A (3) (A)

BEFORE THE HONORABLE
KHYBERPAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No: 305/2018



Bakhsheesh Ellahi s/o Khanizaman r/o Village And
Post Office Khanpur District Haripur.

...APPELLANT

V E R S U S

1. Secretary Population Welfare Department
Directorate General Population Welfare FC
Trust Building Sunehri Masjid Road
Peshawar Cantt.
2. Director General Population Welfare
Department, Directorate General Population
Welfare FC Trust Building Sunehri Masjid
Road Peshawar Cantt.
3. Deputy Director (admin) Population Welfare
Department, Directorate General Population
Welfare FC Trust Building Sunehri Masjid
Road Peshawar Cantt.
4. District Population Welfare Officer, District
Haripur.

.....RESPONDENTS

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BT-24

Khyber Pakhtunkhwa
Service Tribunal
Peshawar

(U) (2)

**SERVICE APPEAL UNDER SECTION 4 OF
K.P.K SERVICE TRIBUNAL ACT 1974
AGAINST ORDER F.NO.4(6)/2017/ADMN /
6725-31 DATED 30th NOV, 2017 ISSUED
BY DIRECTOR GENERAL POPULATION
WELFARE DEPARTMENT WHEREBY THE
APPELLANT WAS IMPOSED OF MAJOR
PENALTY OF REMOVAL FROM SERVICE**

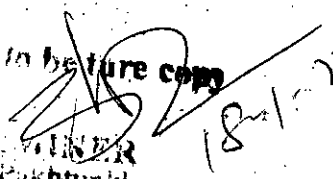
**PRAYER: ON ACCEPTANCE OF THE INSTANT
SERVICE APPEAL ORDER F.NO.4(6)
/2017/ADMN/6725-31 DATED 30th
NOV, 2017 ISSUED BY RESPONDENT
BE SET-ASIDE AND THE APPELLANT
BE RESTORED TO HIS SERVICE AS
O.T TECHNICIAN (BPS-08) ALONG
WITH BACK BENEFITS INCLUDING
SALARY**

Respectfully Sheweth,

The facts giving rise to the instant service appeal are as under

1. That on 16th march, 2006 the appellant was appointed on contract basis as welfare assistant male after fulfilling all the prescribed codal

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18/11/24
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

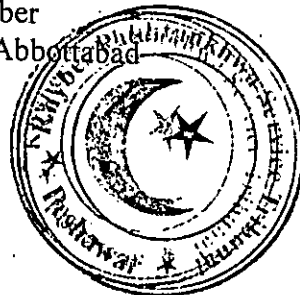
Appeal No. 305/2018
Bakhtish Elchi vs Govt

(5)

22.02.2019

None present on behalf of the appellant. Notice be issued to appellant and his counsel for attendance and preliminary hearing for 18.04.2019 before S.B at Camp Court Abbottabad.

(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad



18.04.2019

Nemo for appellant.

On the last date of hearing notice was required to be issued to appellant and his counsel for hearing today.

The record suggests that the requisite notices were issued, however, no one is in attendance on behalf of the appellant. It is already 2.00 P.M and the case has been called more than once.

Dismissed for non-prosecution. File be consigned to the record room.

Chairman
Camp Court A/Abad

Announced:
18.04.2019

Date of Presentation of Application 18-1-24

Number of Words Page 3

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Service Tribunal
Peshawar